

HB 3224 -2 STAFF MEASURE SUMMARY

House Committee On Early Childhood and Human Services

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Sub-Referral To: Joint Committee On Ways and Means

Meeting Dates: 2/27, 4/3

WHAT THE MEASURE DOES:

The measure directs the Department of Human Services (DHS) to review state law to identify all instances of required background checks, identify similarities and differences in the different background check requirements, and report on options to consolidate and reduce the number of different background checks required for similar purposes. The measure directs DHS to submit a report to the Legislative Assembly by September 15, 2026. The measure sunsets on January 2, 2027.

REVENUE: May have revenue impact, but no statement yet issued.

FISCAL: May have fiscal impact, but no statement yet issued.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-2 The amendment replaces the measure. The amendment directs the Department of Human Services (DHS) to review statutes and rules to identify instances of background checks under specified statutes, study similarities and differences in background checks, and review options to consolidate the number of different background checks. It also requires DHS to study methods to ensure a person does not have to undergo an additional background check for certain purposes if they have passed a background check in the previous 12 months. The amendment requires DHS to submit reports on the studies to the Legislative Assembly by specified dates.

Detailed Summary:

Section 1

- Directs DHS to review statutes and administrative rules to identify all instances of background checks of subject individuals under specified statutes, the similarities and differences in the background checks, and options to consolidate and reduce the number of different background checks for similar purposes or programs.
- Instructs DHS to consult the HB 4091 workgroup report published in November 2012 in conducting the review.
- Requires DHS to submit a report on the review, including any recommendations for legislation, to the Legislative Assembly by September 15, 2026.

Section 2

- Directs DHS to study options for ensuring a person does not need to pass an additional background check for specified purposes if the person has already passed a background check conducted by a state agency in the previous 12 months.
- Requires DHS to submit a report on the study to the Legislative Assembly by June 30, 2026.

Sections 3-4

- Sunsets January 2, 2027.
- Declares an emergency, effective on passage.

REVENUE: No revenue impact.

This summary has not been adopted or officially endorsed by action of the committee.

FISCAL: May have fiscal impact, but no statement yet issued.

BACKGROUND:

Background checks are commonly used to screen individuals in certain positions or occupations such as those working with youth or other vulnerable populations. Background checks can include a verification of an applicant's, or subject individual's (SI), employment history and a review of criminal justice records. [ORS 181A.190](#) authorizes certain agencies, including the Department of Human Services (DHS), to request the Department of State Police (OSP) to conduct a criminal records check on SIs, and directs DHS to make a fitness determination based on the SI based on the information provided as a part of the criminal records check. In 2024, the Legislative Assembly passed [House Bill 4122](#) which directed the OSP to participate in the Rap Back system, a federal system maintained by the Federal Bureau of Investigation. The Rap Back system enables authorized entities to receive ongoing status notifications on individuals whose fingerprints are registered in the system.

The Department of Administrative Services' (DAS) administrative rules provide uniform administrative rules to streamline the criminal records check process statewide ([OAR 125-007-0200 to OAR 125-007-0330](#)). These rules contain guidance on the information required from an SI, crimes and offenses considered potentially disqualifying, fitness determination tests conducted by agencies based on information obtained through a criminal records check, and recordkeeping and confidentiality. Individual agencies or licensing boards may have specific requirements beyond the provisions of the statewide rules.

[ORS 181A.200](#) authorizes the Department of Human Services (DHS), Oregon Health Authority (OHA), and Oregon employment Department (OED) to conduct criminal records checks for certain workers. [The Background Check Unit](#) (BCU) is an inter-agency service that conducts background checks for DHS and OHA on applicants, employees, contractors, vendors, and volunteers. The BCU provides services to DHS, OHA, business regulated by either entity, and businesses that meet criteria to use the [BCU Clearinghouse](#). The BCU maintains the [Oregon Criminal History and Abuse Records Data System](#) (ORCHARDS), a portal for agencies and other qualified entities to submit records check requests and receive fitness determination results.

In 2012, [House Bill 4091](#) directed DAS to convene a work group to develop recommendations for performing background checks. The [HB 4091 work group report](#) included several recommendations to streamline the criminal records verification process, including recommending that organizations that fall within logical clusters explore the ability to share the results of a background verification, and that members within each cluster consider aligning their criteria for fitness determination.