

House Bill 3929

Sponsored by Representative LEWIS, Senator PROZANSKI, Representatives KROPF, GRAYBER, HELFRICH, LIVELY, MANNIX, SMITH G, Senators BROADMAN, GORSEK, MANNING JR, MCLANE, MEEK, SMITH DB, SOLLMAN; Representatives BOICE, BOSHART DAVIS, CHOTZEN, DIEHL, EVANS, HARTMAN, LEVY E, OSBORNE, RUIZ, WALLAN, WRIGHT, Senators GIROD, NASH (at the request of Oregon Association Chiefs of Police, Oregon State Sheriffs' Association, Oregon Coalition of Police and Sheriffs, Oregon Fire Chiefs Association, Special Districts Association of Oregon Fire Districts, Oregon State Fire Fighters Council)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act says that some peer supporters may not be examined about what a person said while receiving peer support. (Flesch Readability Score: 63.8).

Establishes a testimonial privilege for communications by certain public safety employees to a peer supporter.

A BILL FOR AN ACT

1
2 Relating to the wellness of public safety workers; creating new provisions; and amending ORS
3 40.252.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. Section 2 of this 2025 Act is added to and made a part of ORS 40.225 to 40.295.**

6 **SECTION 2. (1) As used in this section:**

7 (a) **“Corrections officer” has the meaning given that term in ORS 181A.355.**

8 (b) **“First responder” means:**

9 (A) **A police officer, reserve officer or civilian employed by a law enforcement unit, as
10 defined in ORS 181A.355.**

11 (B) **A paid or volunteer firefighter with a fire protection agency who is engaged primarily
12 in fire investigation, fire prevention, fire safety, fire control or fire suppression or providing
13 emergency medical services, light and heavy rescue services, search and rescue services or
14 hazardous materials incident response.**

15 (C) **A telecommunicator, as defined in ORS 181A.355.**

16 (D) **An emergency medical services provider, as defined in ORS 682.025.**

17 (E) **A medical examiner, as defined in ORS 146.003.**

18 (c) **“Peer supporter” means a person who has been designated by a public safety agency
19 and who has received training approved by a public safety agency to provide emotional and
20 moral support and services to a peer support services recipient who needs the support and
21 services as a result of an incident in which the peer support services recipient was involved
22 while acting in the peer support services recipient’s official capacity or to deal with other
23 stress that impacts the peer support services recipient’s performance of official duties.**

24 (d) **“Peer support services recipient” means a first responder or corrections officer who
25 receives peer support services.**

26 (e) **“Public safety agency” means a unit of state or local government or a special purpose
27 district that provides, or has authority to provide, services of first responders, firefighting,**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **police, corrections, emergency telecommunications, ambulance or emergency medical ser-**
2 **vices.**

3 **(2) A peer supporter may not be examined in a civil or criminal court proceeding as to**
4 **any communication made to the peer supporter by a peer support services recipient if:**

5 **(a) The peer support services recipient made the communication while receiving individ-**
6 **ual or group support or services as a result of a traumatic event or repeated exposure to**
7 **traumatic events in which the peer support services recipient was involved while acting in**
8 **the peer support services recipient's official capacity;**

9 **(b) A public safety agency designated the peer supporter as a peer supporter before the**
10 **individual or group support or services were provided;**

11 **(c) The communication was made to the peer supporter while the peer supporter was**
12 **acting in the capacity of a peer supporter; and**

13 **(d) The peer supporter was not involved in any traumatic event that caused the peer**
14 **support services recipient to need peer support services.**

15 **(3) Subsection (2) of this section applies to a communication regardless of whether the**
16 **peer supporter and the peer support services recipient are employed by the same employer.**

17 **SECTION 3.** ORS 40.252 is amended to read:

18 40.252. (1) In addition to any other limitations on privilege that may be imposed by law, there
19 is no privilege under ORS 40.225, 40.230, 40.250, 40.264 or 40.274 **or section 2 of this 2025 Act** for
20 communications if:

21 (a) In the professional judgment of the person receiving the communications, the communi-
22 cations reveal that the declarant has a clear and serious intent at the time the communications are
23 made to subsequently commit a crime involving physical injury, a threat to the physical safety of
24 any person, sexual abuse or death or involving an act described in ORS 167.322;

25 (b) In the professional judgment of the person receiving the communications, the declarant poses
26 a danger of committing the crime; and

27 (c) The person receiving the communications makes a report to another person based on the
28 communications.

29 (2) The provisions of this section do not create a duty to report any communication to any
30 person.

31 (3) A person who discloses a communication described in subsection (1) of this section, or fails
32 to disclose a communication described in subsection (1) of this section, is not liable to any other
33 person in a civil action for any damage or injury arising out of the disclosure or failure to disclose.

34 **SECTION 4.** **Section 2 of this 2025 Act applies to communications made on or after the**
35 **effective date of this 2025 Act.**

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