

Requested by Senator GELSER BLOUIN

**PROPOSED AMENDMENTS TO
A-ENGROSSED SENATE BILL 736**

1 On page 1 of the printed A-engrossed bill, line 2, delete “and”.

2 In line 3, before the period insert “; and declaring an emergency”.

3 Delete lines 10 through 25 and delete pages 2 and 3 and insert:

4 **“SECTION 2.** ORS 409.185 is amended to read:

5 “409.185. (1) The Director of Human Services shall oversee the develop-
6 ment of standards and procedures for assessment, investigation and enforce-
7 ment of child protective services.

8 “(2)(a) The Department of Human Services shall take action to implement
9 the provision of child protective services as outlined in ORS 417.705 to
10 417.800 and based on the recommendations in the 1992 ‘Oregon Child Pro-
11 tective Services Performance Study’ published by the University of Southern
12 Maine.

13 “(b) In all substantiated cases of child abuse and neglect, the role of the
14 department is to complete a comprehensive family assessment of risk of
15 abuse or neglect, or both, assess service needs and provide immediate pro-
16 tective services as necessary.

17 “(c) The department shall provide remedial services needed to ensure the
18 safety of the child.

19 “(d) In all cases of child abuse and neglect for which a criminal investi-
20 gation is conducted, the role of law enforcement agencies is to provide a le-
21 gally sound, child sensitive investigation of whether abuse or neglect or both

1 have occurred and to gather other evidence and perform other responsibilities in accordance with interagency agreements.

3 “(e) The department and law enforcement agencies shall conduct the investigation and assessment concurrently, based upon the protocols and procedures of the county child abuse multidisciplinary team in each jurisdiction.

6 “(f) When the department and law enforcement agencies conduct a joint investigation and assessment, the activities of the department and agencies are to be clearly differentiated by the protocols of the county child abuse multidisciplinary team.

10 “(g) Nothing in this subsection is intended to be inconsistent with ORS 11 418.702, 418.747 and 418.748 and ORS chapter 419B.

12 “(h) In all cases of child abuse for which an investigation is conducted, 13 the department shall provide a child’s parent, guardian or caregiver with a 14 clear written explanation of the investigation process, the court hearing 15 process and the rights of the parent, guardian or caregiver in the abuse investigation and in the court proceedings related to the abuse investigation.

17 **When the department provides the written explanation under this 18 paragraph to a child’s parent or guardian, the department shall include a disclosure that the representative of the department is not an 19 attorney and cannot provide legal advice to the parent or guardian.**

21 “(3) Upon receipt of a recommendation of the Children’s Advocate under 22 ORS 417.815 (2)(e), the department shall implement the recommendation or 23 give the Children’s Advocate written notice of an intent not to implement 24 the recommendation.

25 **“SECTION 3. (1) Section 1 of this 2025 Act applies to investigations 26 of abuse arising from actions committed on or after the effective date 27 of this 2025 Act.**

28 **“(2) The amendments to ORS 409.185 by section 2 of this 2025 Act 29 apply to child abuse investigations pending on the effective date of this 30 2025 Act and to child abuse investigations initiated on or after the ef-**

1 **fective date of this 2025 Act.**

2 **“SECTION 4. This 2025 Act being necessary for the immediate**
3 **preservation of the public peace, health and safety, an emergency is**
4 **declared to exist, and this 2025 Act takes effect on its passage.”.**

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