

**SB 1533 A STAFF MEASURE SUMMARY****Carrier:** Sen. Gelser Blouin**Senate Committee On Human Services****Action Date:** 02/10/26**Action:** Do pass with amendments. (Printed A-Eng.)**Vote:** 5-0-0-0**Yea:** 5 - Drazan, Gelser Blouin, Linthicum, Prozanski, Reynolds**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Prepared By:** Matthew Perreault, LPRO Analyst**Meeting Dates:** 2/10**WHAT THE MEASURE DOES:**

The measure modifies provisions of the Oregon Foster Children's Bill of Rights and the Oregon Foster Children's Sibling Bill of Rights and requires the Oregon Department of Human Services (ODHS) to inform parents and guardians that department representatives cannot provide legal advice during an investigation of suspected child abuse. The measure declares an emergency, effective on its passage.

Detailed Summary:**Foster Children**

- Permits a court to limit, deny, or prohibit contact between a foster child and the foster child's sibling to ensure safe and appropriate contact between the siblings
- Expands the definition of "foster child" for the purposes of the Foster Children's Bill of Rights to include children who are awaiting placement in substitute care and children in physical custody of ODHS
- Modifies the Foster Children's Bill of Rights to include the following rights for foster children:
  - Be protected from abuse, exploitation, neglect, intimidation, and inappropriate use of restraint or seclusion
  - Regularly attend school and have access to a free and appropriate public education
  - Be assigned an attorney to represent their interests and have unimpeded and unmonitored contact with the attorney
  - Have unimpeded and unmonitored contact with the Residential Facilities Ombudsman, Children's Advocate, or a formally designated foster care ombudsman
  - Have an attorney or court-appointed advocate of the child's choosing present for any interview with law enforcement or abuse investigators
  - Maintain and have access to their personal belongings
  - Be present at court hearings
  - Transport belongings and personal effects in appropriate luggage carriers when entering into, transitioning, or exiting from foster care
- Modifies the Oregon Foster Children's Sibling Bill of Rights to do the following:
  - Enhance rights that facilitate contact between siblings, except when a court order has limited, denied, or prohibited contact
  - Specify that notification of the birth of a sibling, placement changes, or catastrophic events be made in a developmentally appropriate and trauma-responsive manner
  - Require that a foster child receive a document explaining their rights within seven days of any placement or change in placement
  - Require that the child have access to a prominently displayed and readily accessible document that explains the rights in a developmentally appropriate and trauma-responsive way
  - Require that siblings be informed that their right to contact and visitation is presumed and may not be limited without written findings by the court

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- Require that the foster child be informed in a developmentally appropriate and trauma-responsive manner if a request for communication or visitation with a sibling has been limited or denied

### **Children in Care**

- Requires ODHS to include a disclosure stating that the department's representative is not an attorney and cannot provide legal advice to the parent or guardian in the written materials provided during a child abuse investigation

### **ISSUES DISCUSSED:**

- The rights of children to attend court hearings
- Visibility of a poster describing foster children's rights
- Ability of foster youth to retain belongings
- Implications of changing the definition of "child in care"
- Previously vetoed legislation

### **EFFECT OF AMENDMENT:**

The amendment removes the modified definition of "child in care." It also removes the exception to abuse of a child in care if committed by the child's parent.

### **BACKGROUND:**

The Oregon Foster Children's Bill of Rights was enacted in 2013 by [Senate Bill 123](#) to establish foundational rights of children in foster care. The Oregon Foster Children's Sibling Bill of Rights, enacted by [House Bill 2216 \(2017\)](#), further established the rights of siblings in foster care to maintain contact and be placed together when possible. Enforcement of these rights is a primary responsibility of the Children's Advocate, which is currently housed in the [Governor's Advocacy Office](#) within ODHS. [Senate Bill 875 \(2025\)](#), which the governor vetoed, would have expanded the enumerated rights of foster children and their siblings.

When a report of suspected abuse is submitted to ODHS, the department screens it in accordance with the statutory definition of abuse in [ORS 419B.005](#). If the report warrants an investigation, Child Protective Services (CPS) investigators conduct a thorough assessment of the child's safety and welfare. During the assessment, CPS workers provide a family with information about their rights during an investigation, including potential outcomes and consequences of the findings. [Senate Bill 736 \(2025\)](#), which the governor vetoed, would have required ODHS to disclose that CPS investigators may not provide legal advice to parents during an investigation.