

A-Engrossed
House Bill 3047

Ordered by the Senate June 7
Including Senate Amendments dated June 7

Sponsored by Representative DALTO (at the request of Self Advocates as Leaders)

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.

Directs office of Legislative Counsel to prepare legislation for introduction in Seventy-fourth Legislative Assembly that begins process of using term "[*individual*] **person with disabilities**" in Oregon Revised Statutes in lieu of "disabled person" and other terminology.

Requires state agencies to use term "[*individual*] **person with disabilities**" to extent consistent with state and federal law in rules adopted on or after effective date of Act.

A BILL FOR AN ACT

1
2 Relating to terminology used for individuals; creating new provisions; and amending ORS 182.109
3 and 410.710.

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

5 **SECTION 1. The office of the Legislative Counsel shall prepare legislation for introduc-**
6 **tion in the Seventy-fourth Legislative Assembly that begins the process of using the term**
7 **"person with disabilities" in the Oregon Revised Statutes in lieu of "disabled person" and**
8 **other terminology that does not put the person before the disability. At a minimum, the**
9 **proposed legislation shall make such changes in Oregon statutes relating to senior and dis-**
10 **ability services.**

11 **SECTION 2.** ORS 182.109 is amended to read:

12 182.109. In carrying out the policies stated in ORS 410.710, state agencies shall:

13 (1) Review their rules and policies and may revise them as necessary to reflect a positive ap-
14 proach to persons with disabilities.

15 (2) Encourage and promote education of state employees, state officials and the public in general
16 about the worth and capacity of persons with disabilities.

17 (3) In all state correspondence and publications, avoid the use of stereotypes and negative labels
18 such as "victim," "afflicted," "crippled" and "handicapped" except as such terms as required by
19 statute or federal law and regulation.

20 (4) Use the preferred and more positive term "[*disabled*] **person with disabilities**" instead of
21 **"disabled person,"** "handicapped" or other negative words except as such terms as required by
22 statute or federal law and regulation.

23 (5) In implementing subsections (1) to (4) of this section, develop and seek input regarding ter-
24 minology and portrayal of persons with disabilities from persons who have disabilities and their
25 advocates.

26 (6) Foster corrective measures and avoid stereotypes and negative labeling in texts used by

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 schools, newspapers, magazines, radio and television by encouraging review and analysis of these
2 media by publishers, company owners or appropriate agencies.

3 **(7) Use the term “person with disabilities” to the extent consistent with state and federal**
4 **law in rules adopted on or after the effective date of this 2005 Act.**

5 **SECTION 3.** ORS 410.710 is amended to read:

6 410.710. [(1)] The Legislative Assembly finds and declares that it is a policy of this state that:

7 [(a)] **(1)** All persons regardless of any disability have the right to live their lives with dignity
8 and to participate in society and all state programs to the fullest extent possible.

9 [(b)] **(2)** There is a need for education of state employees and the public generally about the
10 capacity of persons with disabilities to participate and compete in the mainstream of society.

11 [(c)] **(3)** Stereotypes and negative labels have no place in state laws and words such as
12 “victim,” “afflicted,” “crippled” and “handicapped” that have connotations of unclean, unworthy,
13 unproductive and begging are judgmental. Wherever possible, words such as these shall be avoided.

14 [(d)] **(4)** The language of state laws shall reflect a positive outlook about persons with disabili-
15 ties. The worth and uniqueness of each individual citizen is to be emphasized by using words and
16 phrases [*which*] **that** emphasize the person [*as an individual*] first and then identify any disability
17 when relevant.

18 [(2) *Nothing in this Act is intended to extend entitlements, create or establish benefits or deny or*
19 *limit benefits existing under state law prior to October 3, 1989.*]

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