

Enrolled
House Bill 3047

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

CHAPTER

AN ACT

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

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

SECTION 1. The office of the Legislative Counsel shall prepare legislation for introduction in the Seventy-fourth Legislative Assembly that begins the process of using the term “person with disabilities” in the Oregon Revised Statutes in lieu of “disabled person” and other terminology that does not put the person before the disability. At a minimum, the proposed legislation shall make such changes in Oregon statutes relating to senior and disability services.

SECTION 2. ORS 182.109 is amended to read:

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

- (1) Review their rules and policies and may revise them as necessary to reflect a positive approach to persons with disabilities.
- (2) Encourage and promote education of state employees, state officials and the public in general about the worth and capacity of persons with disabilities.
- (3) In all state correspondence and publications, avoid the use of stereotypes and negative labels such as “victim,” “afflicted,” “crippled” and “handicapped” except as such terms as required by statute or federal law and regulation.
- (4) Use the preferred and more positive term “[*disabled*] **person with disabilities**” instead of “**disabled person,**” “handicapped” or other negative words except as such terms as required by statute or federal law and regulation.
- (5) In implementing subsections (1) to (4) of this section, develop and seek input regarding terminology and portrayal of persons with disabilities from persons who have disabilities and their advocates.
- (6) Foster corrective measures and avoid stereotypes and negative labeling in texts used by schools, newspapers, magazines, radio and television by encouraging review and analysis of these media by publishers, company owners or appropriate agencies.

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

SECTION 3. ORS 410.710 is amended to read:

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

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

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

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

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

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

Passed by House April 27, 2005

Received by Governor:

Repassed by House June 14, 2005

.....M.,....., 2005

Approved:

.....
Chief Clerk of House

.....M.,....., 2005

.....
Speaker of House

.....
Governor

Passed by Senate June 10, 2005

Filed in Office of Secretary of State:

.....
President of Senate

.....M.,....., 2005

.....
Secretary of State