

# A-Engrossed Senate Bill 94

Ordered by the Senate April 11  
Including Senate Amendments dated April 11

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor Theodore R. Kulongoski for Oregon Criminal Justice Commission)

## 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.

Eliminates statutory requirement that entity receiving report of child abuse immediately notify other entities eligible to receive report. Requires entity receiving report of child abuse to notify other entities pursuant to rule. Requires Department of Human Services to adopt rules governing notification requirement.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to child abuse reporting; creating new provisions; amending ORS 419B.015; and declaring  
3 an emergency.

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

5 **SECTION 1.** ORS 419B.015 is amended to read:

6 419B.015. **(1)(a)** A person making a report of child abuse, whether voluntarily or pursuant to  
7 ORS 419B.010, shall make an oral report by telephone or otherwise to the local office of the De-  
8 partment of Human Services, to the designee of the department or to a law enforcement agency  
9 within the county where the person making the report is located at the time of the contact. [*Such*  
10 *reports*] **The report** shall contain, if known, the names and addresses of the child and the parents  
11 of the child or other persons responsible for care of the child, the child's age, the nature and extent  
12 of the abuse, including any evidence of previous abuse, the explanation given for the abuse and any  
13 other information [*which*] **that** the person making the report believes might be helpful in establish-  
14 ing the cause of the abuse and the identity of the perpetrator.

15 **(b)** When a report **of child abuse** is received by the department, the department shall [*imme-*  
16 *diately*] notify a law enforcement agency within the county where the report was made. When a  
17 report **of child abuse** is received by a designee of the department, the designee shall notify, ac-  
18 cording to the contract, either the department or a law enforcement agency within the county where  
19 the report was made. When a report **of child abuse** is received by a law enforcement agency, the  
20 agency shall [*immediately*] notify the local office of the department within the county where the re-  
21 port was made.

22 **(2) When a report of child abuse is received under subsection (1)(a) of this section, the**  
23 **entity receiving the report shall make the notification required by subsection (1)(b) of this**  
24 **section according to rules adopted by the department under section 3 of this 2005 Act.**

25 **SECTION 2.** Section 3 of this 2005 Act is added to and made a part of ORS 419B.005 to

**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 **419B.050.**

2 **SECTION 3. (1) The Department of Human Services shall adopt rules establishing:**

3 **(a) The time within which the notification required by ORS 419B.015 (1)(a) must be made.**

4 **At a minimum, the rules shall:**

5 **(A) Establish which reports of child abuse require notification within 24 hours after re-**  
6 **ceipt;**

7 **(B) Provide that all other reports of child abuse require notification within 10 days after**  
8 **receipt; and**

9 **(C) Establish criteria that enable the department, the designee of the department or a**  
10 **law enforcement agency to quickly and easily identify reports that require notification within**  
11 **24 hours after receipt.**

12 **(b) How the notification is to be made.**

13 **(2) The department shall appoint an advisory committee to advise the department in**  
14 **adopting rules required by this section. The department shall include as members of the**  
15 **advisory committee representatives of law enforcement agencies and multidisciplinary teams**  
16 **formed pursuant to ORS 418.747 and other interested parties.**

17 **(3) In adopting rules required by this section, the department shall balance the need for**  
18 **providing other entities with the information contained in a report received under ORS**  
19 **419B.015 with the resources required to make the notification.**

20 **(4) The department may recommend practices and procedures to local law enforcement**  
21 **agencies to meet the requirements of rules adopted under this section.**

22 **SECTION 4. The Department of Human Services shall adopt the rules required by section**  
23 **3 of this 2005 Act no later than January 1, 2006, and shall ensure that the rules take effect**  
24 **no later than January 1, 2006.**

25 **SECTION 5. The amendments to ORS 419B.015 by section 1 of this 2005 Act become op-**  
26 **erative on January 1, 2006.**

27 **SECTION 6. This 2005 Act being necessary for the immediate preservation of the public**  
28 **peace, health and safety, an emergency is declared to exist, and this 2005 Act takes effect**  
29 **on its passage.**

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