



**Enacted bills of the 2014 Legislative Session
Complete as of March 6, 2014**

Subject	Bill #	Summary	Current Status (3/6/14)	Effective Date
Abuse	HB 4151	<u>Elder Abuse</u> : Requires DHS to complete investigations of abuse of persons 65 years of age or older within 120 days. Specifies that the 120 day requirement does not apply to ongoing concurrent criminal investigations. Requires the preparation of a written report upon the completion of an investigation. Requires DHS to plan the creation of a regularly updated database of reports and investigations of elder abuse. Directs DHS to augment the department's existing criminal background check system with a regularly updated registry of all persons working or seeking to work in adult foster homes, nursing facilities, residential facilities, and assisted living facilities. Modifies the definitions of "Neglect" and "Sexual Abuse."	Governor's Office - Awaiting Signature	Declares emergency, effective on passage.
CASA	HB 4114	<u>CASA for protected persons</u> : Authorizes courts to appoint volunteers to serve as protected person special advocates in protective proceedings at any time after appointment of fiduciary. Directs court to establish qualifications of persons serving as advocates, as well as standards and procedures to be used by advocates, prior to appointing volunteers. Specifies duties, responsibilities, and functions of volunteer advocates. Excludes financial institutions and trust companies who act as fiduciaries from oversight of advocate.	Governor's Office - Awaiting Signature	Declares emergency; effective on passage.

Cellular Location Information	HB 4022	<u>Cellular Location Information:</u> Creates Kelsey Smith Act requiring providers of radio communications service for cellular providers to provide cellular device location information, or best available location information, for purpose of emergency response to situation involving risk of death or serious physical harm at request of law enforcement. Requires cellular service registered in Oregon or subject to Oregon jurisdiction, provide emergency contact information by June 15 th each year or when information changes. Requires Office of Emergency Management (OEM) maintain database of cellular service emergency contact information for disclosure to public safety answering points (PSAPs) as specified. Requires OEM coordinate data collection with PSAPs and law enforcement and report to legislature biennially. Prohibits cause of action against cellular service complying in good faith. Amends ORS 403.135.	Governor's Office - Awaiting Signature	Effective January 1, 2015.
Fees	HB 4066	<u>E-court:</u> Authorizes Chief Justice to set reasonable fees for access to data from OJCIN. Eliminates a requirement for the Chief Justice to provide a reasonable opportunity for comment when adopting or increasing OJCIN fees on a temporary basis. The Chief Justice must provide such an opportunity prior to any permanent fee change, and must provide notification prior to adopting or increasing any OJCIN fee. Repeals the sunsets of fee increases and fee revenue dedications that support court technology and that are scheduled to go into effect on June 30, 2014.	Governor's Office - Awaiting Signature	Declares emergency, effective on passage.
Firearms	HB 4035	<u>DOC/firearms:</u> Allows a corrections officer employed by DOC to possess a weapon in the officer's personal vehicle when the vehicle is in a DOC parking lot if: (1) the officer is present in his or her official capacity; (2) he or she has a valid Oregon concealed handgun license; (3) the weapon is in a locked container, including the glove compartment or trunk, inside the vehicle; and (4) the department does not provide a secured location. Requires the officer to keep his or her firearm in the secured location if one is available.	Governor's Office - Awaiting Signature	Applies 91 days after adjournment.
	HB 4068	<u>CHL/ Marijuana convictions:</u> Allows a person with one violation or	Governor's	Applies to license

		misdemeanor conviction for marijuana possession or one diversion for marijuana possession to apply for a concealed firearm permit regardless of whether the conviction was in Oregon or in another state. Allows a person convicted of misdemeanor marijuana possession to obtain a concealed firearm permit after waiting four years from the date of conviction. Amends ORS 166.291.	Office - Awaiting Signature	applications submitted on or after January 1 2015.
Juvenile Proceedings	HB 4156	<u>Juvenile Proceedings</u> : Creates a temporary solution to allow DHS to appear in juvenile court without counsel in uncontested hearings, status hearings, and other hearings the court may call, and specifies that the Department may appear without counsel in pre-jurisdictional hearings when a district attorney is representing the state, so long as their interests are aligned. If a hearing becomes contested, the court is responsible for suspending proceeding to allow DHS to access counsel. Provisions sunset June 30, 2015.	Governor's Office - Awaiting Signature	Declares emergency, effective on passage.
Marijuana	SB 1531	<u>MMJ facilities/ local control</u> : Allows county to impose restrictions on marijuana facilities regarding reasonable limitations on hours medical marijuana facility may operate, reasonable limitations on where facility may be located within zoned area, and reasonable conditions on dispensing of medical marijuana. Permits governing body of city or county to adopt ordinance enacting moratorium on operation of registered medical marijuana facilities until May 1, 2015, in area subject to jurisdiction of city or county, if moratorium is enacted no later than May 1, 2014. Repeals moratorium on January 2, 2016. Prohibits transfer of marijuana-infused products unless product is properly packaged. Requires OHA to consider federal Poison Prevention Packaging Act when adopting regulations for packaging of marijuana-infused products. Amends ORS 475.314.	Pending Senate floor vote; expected to pass	Effective March 1, 2014.
Procedure (Speedy trial)	SB 1550	<u>Statutory Speedy Trial</u> : Requires that a trial must commence within two years from the date of the filing of the charging instrument if the most serious offense in the instrument is a misdemeanor, and three years if the most serious offense in the charging instrument is a felony. These time limits cease to apply if the defendant fails to appear at trial. Excludes periods when the defendant is: (a) being examined for fitness to proceed; (b)	Governor's Office - Awaiting Signature	Declares emergency, effective on passage.

determined to be unfit to proceed; (c) being examined for mental disease or defect or other mental defense raised by the defendant; (d) unable to appear because of illness. Excludes period of time for interlocutory appeal or stays of proceeding by an appellate court in a mandamus or habeas proceeding. Excludes periods of time the defendant has attempted to avoid apprehension or prosecution or the defendant's location cannot be determined by due diligence. Requires court to dismiss the charging instrument without prejudice unless the court finds substantial and compelling reasons to allow the proceeding to continue. Applies to motions to dismiss under this Act filed on or after April 1, 2014.

Includes "reserve" police officer within the term "police officer" for the purposes of the aggravated murder statute.

Schools

[HB 4087](#)

School Safety: Establishes the 14-member Task Force on School Safety charged with: (1) developing a request for proposals for hiring a vendor to create an Internet accessible database of floor plans for all schools within the state; and (2) examining models of existing school safety and incident response education and training programs for first responders and school administration officials. The task force is required to submit a report regarding the floor plan database to the Legislature by September 1, 2014. Provisions sunset on the date of convening of the 2017 Legislative Assembly.

Governor's
Office -
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Signature

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**Vulnerable
Persons**

[SB 1577](#)

Vulnerable missing adults: Requires Department of State Police and all sheriffs and municipal police departments to adopt written policies relating to missing vulnerable adults on or before January 1, 2015. Specifies that missing vulnerable adults include individuals impaired with mental condition, intellectual or developmental disability or brain injury. Requires OHA to request specified information from potential contractors and, if certain conditions are met, to request proposals to establish and operate systems and technologies designed to detect and prevent improper payments (e.g. fraud) in the state medical assistance programs.

Governor
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Youth	SB 1536	<p><u>Juvenile proceeding/ "records:</u> Defines "public defense provider" and clarifies which of the juvenile court records they are allowed to see. Clarifies that terms "record of the case" and "supplemental confidential file" are included documents filed prior to the effective date of SB 622. Grants the OJD authority to permit access to juvenile court records to certain specified agencies such as OPDS, the Attorney General and district attorneys. Grants the Chief Justice of the Oregon Supreme Court and the Chief Judge of the Oregon Court of Appeals or a presiding judge of a judicial circuit authority to permit researchers or evaluators access to juvenile court records. Makes disclosure provisions operative on September 30, 2015 rather than July 1, 2014. Clarifies that for adoptions cases filed before January 1, 2014, a person over the age of 18 who would like access to his or her adoption records can obtain his or her name at birth and the names of his or her birth parents and petitioners to the adoption proceedings. Amends ORS 109.319, 419A.200, 419A.252, 419A.255 and 419A.256 and sections 12 and 13, chapter 417, Oregon Laws 2013.</p>	Governor's Office - Awaiting Signature	Declares emergency; effective on passage.
	SB 1546	<p><u>Alcohol/tobacco sales to minors:</u> Changes penalty when employee unknowingly or unintentionally sells alcohol to a minor while operating a store checkout device from Class A misdemeanor to Class A violation. Clarifies offense of endangering welfare of minor is Class A violation when person sells device for smoking tobacco to person under 18 years of age. Amends ORS 163.575, 431.840 and 471.410.</p>	Governor signed.	Declares emergency; effective on passage.
	HB 4037	<p><u>OYA/ Youth:</u> Authorizes county sheriff to designate either county juvenile departments or Oregon Youth Authority for transportation of youth offenders directly to youth corrections facility. Amends ORS 137.124 and 137.320.</p>	Governor's Office - Awaiting Signature	Declares emergency; effective on passage.
	HB 4094	<p><u>MIP/ immunity:</u> Specifies that a person under 21 years of age who contacts emergency medical services or law enforcement for medical assistance for self or others due to alcohol consumption is immune from prosecution under minor in possession statute. Applies only if evidence of possession is obtained as result of person seeking assistance. Specifies exemption does</p>	Governor signed March 3.	Applies to conduct occurring on or after March 3 2014.

not extend to other crimes or offenses. Amends ORS 471.430.

[HB 4134](#)

Youth suicide: Directs Youth Development Council to allocate funds available to support community-based prevention and intervention programs and services based on indicators of need for youth ages 6 through 20 years old. Requires allocation to take place by public process and be reviewed biennially. Specifies allocation process becomes operative July 1, 2015. Creates Juvenile Crime Prevention Funding Committee to make findings regarding funding issues, recommend changes to policies and practices adopted by Youth Development Council, and report to Legislative Assembly on or before January 1, 2015. Designates Committee membership and administrator. Committee sunsets June 30, 2015. Amends ORS 417.850, 417.855 and 417.857.

In House
Committee

Declares
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passage.