

**Enrolled**  
**House Bill 3391**

Sponsored by Representative EVANS; Representatives BARNHART, NATHANSON, NOSSE, PARRISH, STARK

CHAPTER .....

AN ACT

Relating to safety for employees of the Department of Human Services; and declaring an emergency.

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

**SECTION 1.** (1) The Attorney General may bring an action in a circuit court for a citation or a stalking protective order under ORS 30.866 or 163.730 to 163.750 on behalf of an employee of the Department of Human Services who, because of being involved in the conduct described in subsection (3) of this section, is the subject of repeated and unwanted contact by another person that causes alarm or coercion to the employee. The Attorney General’s responsibility under this subsection is limited to circumstances in which an employee of the department submits a written request to the Attorney General that:

(a) Has been approved in writing by the Director of Human Services or the director’s designee;

(b) Sets forth sufficient facts and evidence, the truth of which has been affirmed by the employee; and

(c) Based solely upon the opinion of the Attorney General, is an action that is likely to succeed.

(2) The action brought under this section may not include a request for:

(a) Special and general damages, including damages for emotional distress;

(b) Economic or noneconomic damages;

(c) Punitive damages; or

(d) Attorney fees and costs.

(3) Departmental employees on whose behalf the citation or stalking protective order may be obtained under subsection (1) of this section include employees who:

(a) Conduct a child abuse investigation under ORS 419B.020;

(b) Make a determination that a child must be taken into protective custody under ORS 419B.150;

(c) Make a determination that a child should not be released to the child’s parent or other responsible person under ORS 419B.165 (2); and

(d) Are involved in developing a case plan or making a placement decision for a child in the legal custody of the department.

**SECTION 2.** This 2015 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect on its passage.

**Passed by House April 30, 2015**

**Repassed by House June 25, 2015**

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

**Passed by Senate June 24, 2015**

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Peter Courtney, President of Senate

**Received by Governor:**

.....M,....., 2015

**Approved:**

.....M,....., 2015

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Kate Brown, Governor

**Filed in Office of Secretary of State:**

.....M,....., 2015

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Jeanne P. Atkins, Secretary of State