

**A-Engrossed**  
**House Bill 4075**

Ordered by the House February 15  
Including House Amendments dated February 15

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Judiciary)

**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.

Replaces School Safety Hotline established by Department of Justice with statewide tip line established by Department of State Police for anonymous reporting of information concerning threats to student safety. Requires Department of State Police to adopt certain rules for operation of tip line.

Provides that person who improperly uses tip line commits crime of improper use of emergency communications system. Punishes by maximum of one year's imprisonment, \$6,250 fine, or both.

Appropriates moneys from General Fund to Department of State Police for biennial expenses relating to establishment and operation of tip line.

**Modifies membership of Task Force on School Safety. Extends sunset.**

Declares emergency, effective on passage.

**A BILL FOR AN ACT**

1  
2 Relating to student safety; creating new provisions; amending ORS 165.570 and sections 1 and 2,  
3 chapter 93, Oregon Laws 2014; repealing ORS 180.650 and 180.660; and declaring an emergency.

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

5 **SECTION 1. (1) As used in this section:**

6 (a) **"Cyberbullying" and "harassment, intimidation or bullying" have the meanings given**  
7 **those terms in ORS 339.351.**

8 (b) **"Local law enforcement contact" means a local law enforcement officer designated**  
9 **by the Department of State Police to be notified when the tip line receives a report of a**  
10 **threat to student safety or potential threat to student safety.**

11 (c) **"Service provider" means a person designated by the department to be notified when**  
12 **the tip line receives a report of a threat to student safety or potential threat to student**  
13 **safety. "Service provider" includes:**

14 (A) **A provider of behavioral health care or mental health care;**

15 (B) **A provider of school-based health care;**

16 (C) **A certificated school counselor;**

17 (D) **A clinical social worker licensed under ORS 675.530; or**

18 (E) **A professional counselor or a marriage and family therapist licensed under ORS**  
19 **675.615.**

20 (d) **"Student" means a student of:**

21 (A) **A school district, as defined in ORS 332.002;**

22 (B) **A community college, as defined in ORS 341.005;**

23 (C) **A private school that provides educational services to kindergarten through grade 12**

**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 students;

2 (D) A career school, as defined in ORS 345.010; or

3 (E) A public university listed under ORS 352.002.

4 (e) "Threat to student safety" includes, but is not limited to, a threat or instance of:

5 (A) Harassment, intimidation or bullying or cyberbullying;

6 (B) Suicide or self-harm; and

7 (C) Violence against others.

8 (f) "Tip line" means a statewide resource designed to accept information concerning  
9 threats to student safety or potential threats to student safety through methods of trans-  
10 mission including:

11 (A) Telephone calls;

12 (B) Text messages; and

13 (C) Electronically through the Internet.

14 (2) The Department of State Police shall establish a statewide tip line for students and  
15 other members of the public to use to confidentially report information concerning threats  
16 to student safety or potential threats to student safety.

17 (3) In consultation with state and local government behavioral health care providers, the  
18 department shall adopt rules necessary to establish and operate the tip line. The rules must  
19 include, but are not limited to:

20 (a) Provisions that protect the identity of a person reporting information without com-  
21 promising opportunities for follow-up contact from local law enforcement contacts or service  
22 providers to provide further information to or obtain further information from the person;  
23 and

24 (b) Written policies and procedures for:

25 (A) Logging reports received on the tip line;

26 (B) Verifying the authenticity and validity of a reported threat to student safety or po-  
27 tential threat to student safety;

28 (C) Relaying information concerning a threat to student safety or potential threat to  
29 student safety to local law enforcement contacts, service providers and appropriate educa-  
30 tion provider contacts;

31 (D) Connecting the tip line with other hotlines that are available for reports of violence  
32 or for crisis prevention; and

33 (E) Reporting for the purposes of tracking referrals to local law enforcement contacts  
34 and service providers resulting from information received on the tip line and tracking the  
35 outcome of any action taken in response to the referral.

36 (4) The department may seek and accept gifts, grants and donations from any source for  
37 the purpose of carrying out its duties under this section.

38 **SECTION 2.** Prior to establishing the statewide tip line described in section 1 of this 2016  
39 Act, the Department of State Police shall ensure that the department has adopted rules for  
40 provisions, policies and procedures related to the tip line, as described in section 1 (3) of this  
41 2016 Act.

42 **SECTION 3.** ORS 165.570 is amended to read:

43 165.570. (1) A person commits the crime of improper use of the emergency communications sys-  
44 tem if the person knowingly:

45 (a) Makes an emergency call or calls the [*School Safety Hotline*] **tip line** for a purpose other

1 than to report a situation that the person reasonably believes requires prompt service in order to  
2 preserve human life or property; or

3 (b) Allows another person to use communications equipment owned, rented or leased by or under  
4 the control of the person to make an emergency call or call the [*School Safety Hotline*] **tip line** for  
5 a purpose other than to report a situation that the other person reasonably believes requires prompt  
6 service in order to preserve human life or property.

7 (2) As used in this section:

8 (a) "Emergency call" has the meaning given that term in ORS 403.105.

9 (b) "Emergency communications system" has the meaning given that term in ORS 403.105.

10 [(c) "*School Safety Hotline*" means the toll-free telephone line established under ORS 180.650.]

11 (c) "**Tip line**" means the statewide tip line established under section 1 of this 2016 Act.

12 (3) Improper use of the emergency communications system is a Class A misdemeanor.

13 **SECTION 4. In addition to and not in lieu of any other appropriation, there is appropri-**  
14 **ated to the Department of State Police for the biennium beginning July 1, 2015, out of the**  
15 **General Fund, the amount of \$1 million, which may be expended to establish and operate the**  
16 **tip line established under section 1 of this 2016 Act.**

17 **SECTION 5. ORS 180.650 and 180.660 are repealed.**

18 **SECTION 6.** Section 1, chapter 93, Oregon Laws 2014, is amended to read:

19 **Sec. 1.** (1) The Task Force on School Safety is established, consisting of [14] **16** members as  
20 follows:

21 (a) The Superintendent of State Police or the superintendent's designee.

22 (b) The Director of the Department of Public Safety Standards and Training or the director's  
23 designee.

24 (c) The Governor's Public Safety Policy Advisor.

25 (d) The Governor's Education Policy Advisor.

26 (e) The President of the Senate shall appoint one member from among members of the Senate.

27 (f) The Speaker of the House of Representatives shall appoint one member from among members  
28 of the House of Representatives.

29 (g) The Governor shall appoint [*eight*] **10** members as follows:

30 (A) A member of the Oregon State Sheriffs' Association;

31 (B) A member of the Oregon Association Chiefs of Police;

32 (C) A member of the Oregon Fire Chiefs Association;

33 (D) A member of the Oregon Education Association;

34 (E) A member of the Oregon School Employees Association;

35 (F) A member of the Oregon School Boards Association;

36 (G) A member of the Oregon Association of Education Service Districts; [*and*]

37 (H) A member of the Confederation of Oregon School Administrators[.];

38 (I) **A member representing the Department of Education; and**

39 (J) **A member of the Association of Oregon Community Mental Health Programs.**

40 (2) Members of the Legislative Assembly appointed to the task force are nonvoting members of  
41 the task force and may act in an advisory capacity only.

42 (3) The task force shall:

43 (a)(A) Develop a request for proposals to be published by the Department of State Police for  
44 hiring a vendor to create a database of floor plans for all schools within the state, accessible to  
45 authorized users via the Internet; and

1 (B) Make recommendations to the Department of State Police for the development of adminis-  
2 trative rules governing the database, including but not limited to:

3 (i) Specifying the persons and agencies that may have access to the database;

4 (ii) Identifying the persons or agencies that will maintain the database; and

5 (iii) Regulating the manner in which database records are added or modified;

6 (b) Examine models of existing education and training programs for law enforcement officials,  
7 other first responders and school employees in the area of school safety and incident response; and

8 (c) Examine models for existing protocols for school safety and incident response and consider  
9 whether standardized statewide school safety and incident response protocols would be appropriate.

10 (4) A majority of the voting members of the task force constitutes a quorum for the transaction  
11 of business.

12 (5) Official action by the task force requires the approval of a majority of the voting members  
13 of the task force.

14 (6) The task force shall elect one of its members to serve as chairperson and one of its members  
15 to serve as vice chairperson.

16 (7) If there is a vacancy for any cause, the appointing authority shall make an appointment to  
17 become immediately effective.

18 (8) The task force shall meet at times and places specified by the call of the chairperson or of  
19 a majority of the voting members of the task force.

20 (9) The task force may adopt rules necessary for the operation of the task force.

21 (10) The task force shall submit a report concerning the floor plan database in the manner  
22 provided by ORS 192.245, and may include recommendations for legislation, to an interim committee  
23 of the Legislative Assembly related to the judiciary as appropriate no later than September 1,  
24 [2014.] **2017. A second report shall be submitted in a similar manner no later than September**  
25 **1, 2019.**

26 (11) The Department of State Police shall provide staff support to the task force.

27 (12) Members of the task force who are not members of the Legislative Assembly are not enti-  
28 tled to compensation, but may be reimbursed for actual and necessary travel and other expenses  
29 incurred by them in the performance of their official duties in the manner and amounts provided for  
30 in ORS 292.495. Claims for expenses incurred in performing functions of the task force shall be paid  
31 out of funds appropriated to the Department of State Police for purposes of the task force.

32 (13) All agencies of state government, as defined in ORS 174.111, are directed to assist the task  
33 force in the performance of its duties and, to the extent permitted by laws relating to confidentiality,  
34 to furnish such information and advice as the members of the task force consider necessary to per-  
35 form their duties.

36 **SECTION 7.** Section 2, chapter 93, Oregon Laws 2014, is amended to read:

37 **Sec. 2.** Section 1, **chapter 93, Oregon Laws 2014**, [of this 2014 Act] is repealed on [the date of  
38 the convening of the 2017 regular session of the Legislative Assembly as specified in ORS 171.010]  
39 **December 31, 2019.**

40 **SECTION 8. This 2016 Act being necessary for the immediate preservation of the public**  
41 **peace, health and safety, an emergency is declared to exist, and this 2016 Act takes effect**  
42 **on its passage.**

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