



# Legislative Summary

# 2020

2020 First Special Session of the Oregon Legislative Assembly



Oregon’s 2020 First Special Legislative Session was from June 24 to June 26, 2020. There were 26 bills and resolutions total, with the primary focus being on addressing issues related to the COVID -19 response and police accountability. The Department of Human Services (DHS) was tracking 11 bills and resolutions, and the legislature passed 9 of those.

A second Special Session is expected to address budget items. If you have questions about 2020 First Special Session human services related legislation, please contact government relations staff listed below.

**DHS Director:**

Fariborz Pakseresht 503-945-7001

**DHS Deputy Director:**

Liesl Wendt 503-934-5202

**DHS Program Directors:**

Mike McCormick Interim, Office of Aging and People with Disabilities (APD) 503-947-1100

Rebecca Jones-Gaston Child Welfare (CW) 503-979-3377

Lilia Teninty Office of Developmental Disabilities Services (ODDS) 503-945-6918

Dan Haun Self-Sufficiency Programs (SSP) 971-352-1446

Keith Ozols Vocational Rehabilitation (VR) 503-945-5679

**Government Relations Staff:**

Soren Metzger Government Relations Legislative Unit Manager 503-277-9602

Tristan Fernandez Senior Legislative Policy Analyst (CW and VR) 503-302-1479

Nicole Stapp Senior Legislative Policy Analyst (SSP and SCS) 971-719-0123

Brooke Hall Senior Legislative Policy Analyst (APD and ODDS) 503-983-0445

Darrah Young Legislative Assistant 503-930-8496

**Key to Program Acronyms**

Office of Aging and People with Disabilities	APD
Child Welfare Program	CW
Office of Developmental Disabilities	ODDS
Self-Sufficiency Programs	SSP
Vocational Rehabilitation	VR
Shared and Central Services	SCS



# Table of Contents

<b><u>PREFACE</u></b>		2
<b><u>HB 4204</u></b>	Moratorium on Foreclosures	4
<b><u>HB 4212</u></b>	COVID-19 Response Omnibus Bill	4
<b><u>HB 4214</u></b>	Oregon Indian Child Welfare Act	4
<b><u>HCR 212</u></b>	Deadlines for Introduction of 2021 Legislative Measures	5
<b><u>SB 1601</u></b>	Statewide Transportation Improvement Fund	5
<b><u>SB 1605</u></b>	Child Welfare Omnibus	5
<b><u>SB 1606</u></b>	Access to Care	6
<b><u>SB 5711</u></b>	2020 First Special Session Budget Bill	6
<b><u>SCR 211</u></b>	Adjourning Sine Die of the 2020 First Special Session	7



## Moratorium on Foreclosures

HB 4204

SCS

Effective date: June 30, 2020

House Bill 4204 limits the default remedies available to lenders for obligations secured by mortgages, trust deeds, and land sale contracts. Lenders are directed to defer both residential and commercial mortgage payments during the pandemic if a borrower is unable to pay due to the COVID-19 pandemic. During the emergency period courts are required to dismiss foreclosure proceedings and lenders are prohibited from charging fees and penalties related to non-payment. This deferral will last until at least September 2020 and deferred payments will be due at the end of the loan, unless the borrower and lenders determine alternative, agreeable terms.

Link to bill text:

<https://olis.oregonlegislature.gov/liz/2020S1/Downloads/MeasureDocument/HB4204/Enrolled>

## COVID-19 Response Omnibus Bill

HB 4212

APD, CW, ODDS and SCS

Effective date: June 30, 2020

House Bill 4212, also known as the COVID-19 Response Omnibus Bill, enacted a variety of temporary changes to law to support Oregonians, public health efforts, local governments, courts, and businesses during the COVID-19 pandemic. These changes include temporarily waiving siting and zoning regulations for emergency homeless shelters and delaying the expiration date of enterprise zones, allowing Individual Development Account funds to be used for emergency expenses. The bill also allows local governments and other public bodies to hold virtual meetings and the Chief Justice to extend statutory deadlines for court appearances in certain circumstance. Further it establishes a remote notary pilot program, protects CARES Act Rebates from garnishment, and requires health care providers collect data on race, ethnicity, preferred spoken and written languages, English proficiency, interpreter needs and disability status (REALD) during the provision of health services related to COVID-19.

Link to bill text:

<https://olis.oregonlegislature.gov/liz/2020S1/Downloads/MeasureDocument/HB4212/Enrolled>

## Oregon Indian Child Welfare Act

HB 4214

CW and SCS (Tribal Affairs)

Effective date: January 1, 2021

House Bill 4214 embeds the federal Indian Child Welfare Act (ICWA) into Oregon's laws to further protect and preserve the future of tribal children, families, nations, and culture. The federal ICWA was enacted in 1978 in response to high rates of separation of American Indian and Alaskan Native families. ICWA aims to protect the best interest of tribal children and families by outlining the states' requirement to work within tribal placement preferences, deliver active efforts, and partner with tribal nations to ensure tribal sovereignty. The adoption of HB 4214 ensures that if the federal ICWA is repealed, Oregon will continue to have child welfare protections for tribal children and families. Additionally, HB 4214 requires the Department and the Oregon Judicial Department (OJD) to make biennial reports to the Legislative Assembly. This report is to contain information on tribal children



and their experiences in the child welfare system as well as the efforts of DHS and OJD to comply with the Oregon ICWA.

Link to bill text:

<https://olis.oregonlegislature.gov/liz/2020S1/Downloads/MeasureDocument/HB4214/Enrolled>

## Deadlines for Introduction of 2021 Legislative Measures

HCR 212

SCS

Effective date: June 30, 2020

House Concurrent Resolution 212 establishes deadlines for pre-session filed legislative measures for 2021 regular session of the Eightieth Legislative Assembly. The 2021 regular session measure deadlines are September 25, 2020 for drafts of measures to be filed with Legislative Counsel, December 7, 2020 for Legislative Counsel to return drafts of measures, and December 21, 2020 for requesters to submit drafts of measures to be pre-session filed for introduction to the Senate Desk or the House Desk. Exempt from the deadlines above are the President of the Senate, the House Interim Committee on Rules and the Joint Interim Committee on Ways and Means.

Link to resolution text:

<https://olis.oregonlegislature.gov/liz/2020S1/Downloads/MeasureDocument/HCR0212/Enrolled>

## Statewide Transportation Improvement Fund

SB 1601

APD

Effective date: Effective upon passage

Senate Bill 1601 merges the Elderly and Disabled Transportation Fund with the Statewide Transportation Improvement Fund (STIF). The bill repeals provisions related to Elderly and Disabled Transportation Fund and transfers money in Elderly and Disabled Transportation Fund to STIF. The STIF is used to support program administration, fund projects of statewide significance and manage operation of public transportation services. A portion of the STIF is dedicated to transit services for older adults and individuals with disabilities. The bill also prohibits law enforcement from issuing fines related to certain traffic offenses between March 2020, and December 2020.

Link to bill text:

<https://olis.oregonlegislature.gov/liz/2020S1/Downloads/MeasureDocument/SB1601/Enrolled>

## Child Welfare Omnibus

SB 1605

CW, SCS, and ODDS

Effective date: Effective upon passage

Senate Bill 1605 extends the Oregon Promise Program to Oregon foster youth in out-of-state placements, and those in a tribal child welfare agency's placement within an Oregon substitute care placement.

Senate Bill 1566 temporarily allows the Department to close reports of child abuse at screening when the alleged perpetrator is a third party and certain criteria is met. A report is due to the Legislative Assembly no later than November 2020 that details the number of reports closed, the relationship between the alleged perpetrator and



victim, the type of abuse alleged, and the resources required for the Department to fully implement investigations for these types of reports.

Senate Bill 1605 requires the licensing of out-of-state providers, additional contracting requirements and consultation with the Office of Developmental Disability Services prior to placing children known or suspected of having intellectual or developmental disabilities (I/DD). The bill also created mandatory notification requirements to other child placement agencies, and established reporting requirements for any abuse investigations that occur in out-of-state programs licensed by Oregon through the Public Review & Oversight of the Equality & Safety of Child-caring Agencies quarterly reports.

The Department shall adopt rules to allow for no more than two in-state programs designed to support children with sexually maladaptive behaviors, a history of eloping from care, or of unsuccessful placement in other settings. The Department is required to submit a report by September 2022 regarding these programs and recommendations for their continuation or expansion if appropriate.

Delays requirements for Qualified Residential Treatment Programs within the state until December 1, 2020 and requires the Department to meet multiple reporting and oversight criteria that generally align with current practice. The legislation additionally strictly limits placements in facilities that serve juvenile offenders in a comingled setting.

Link to bill text:

<https://olis.oregonlegislature.gov/liz/2020S1/Downloads/MeasureDocument/SB1605/Enrolled>

## Access to Care

SB 1606

APD and ODDS

Effective date: Effective upon passage

Senate Bill 1606 prohibits hospitals, emergency departments, or hospital-affiliated clinics from placing conditions on the provision of treatment or withholding of life sustaining procedures, unless a patient has a Portable Orders for Life Sustaining Treatment (POLST) or advanced directive. The bill requires hospitals, emergency departments, or hospital-affiliated clinics to allow a patient with intellectual or developmental disabilities, communication deficits, or behavioral health needs to designate at least three support persons, and to allow at least one support person to be present with the patient at all times in the emergency department and during the patient's stay at the hospital. The bill requires covered medical providers to contact the Department when consideration is being given to stop life sustaining treatments for a person with I/DD.

Link to bill text:

<https://olis.oregonlegislature.gov/liz/2020S1/Downloads/MeasureDocument/SB1606/Enrolled>

## 2020 First Special Session Budget Bill

SB 5711

CW and SCS

Effective date: Effective upon passage

Senate Bill 5711 appropriates funds for legislation passed during the 2020 First Special Session. The Department appropriation is \$191,000 to provide for agency-wide costs to implement licensing and monitoring services for out-of-state child caring agencies as required by Senate Bill 1605.



Link to bill text:

<https://olis.oregonlegislature.gov/liz/2020S1/Downloads/MeasureDocument/SB5711/Enrolled>

## **Adjourning Sine Die of the 2020 First Special Session**

SCR 211

SCS

Effective date: June 26, 2020

Senate Concurrent Resolution 211 adjourned the 2020 First Special Session of the Eightieth Legislative Assembly.

Link to resolution text:

<https://olis.oregonlegislature.gov/liz/2020S1/Downloads/MeasureDocument/SCR0211/Enrolled>