

## CHAPTER 400

AN ACT

SB 790

Relating to domestic violence; creating new provisions; and amending ORS 147.453, 339.366, 409.290 and 409.292.

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

**SECTION 1.** ORS 147.453 is amended to read:

147.453. There is established in the State Treasury, separate and distinct from the General Fund, the Oregon Domestic and Sexual Violence Services Fund. All moneys in the fund are continuously appropriated to the Department of Justice and shall be used by the department to carry out a program of domestic and sexual violence services that:

(1) Provides safety for and assists victims of domestic violence and sexual assault, promotes effective intervention and reduces the incidence of domestic violence and sexual assault;

(2) Advocates for victims and for domestic violence and sexual assault services;

(3) Promotes and facilitates interagency and interdepartmental cooperation among state agencies, including the Department of Human Services, and among different levels of government in this state in the delivery and funding of services; and

(4) Encourages and supports services, programs and curricula to educate and inform students in grades 7 through 12 about teen dating violence **and domestic violence**, to provide assistance to victims of teen dating violence **and domestic violence**, and to prevent and reduce the incidence of teen dating violence **and domestic violence**.

**SECTION 2.** ORS 339.366 is amended to read:

339.366. (1) As used in this section:

(a) "Dating" or "dating relationship" means an ongoing social relationship of a romantic or intimate nature between two persons. "Dating" or "dating relationship" does not include a casual relationship or ordinary fraternization between two persons in a business or social context.

(b) **"Domestic violence" means abuse as defined in ORS 107.705 between family and household members, as those terms are defined in ORS 107.705.**

[(b)] (c) "Teen dating violence" means:

(A) A pattern of behavior in which a person uses or threatens to use physical, mental or emotional abuse to control another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age; or

(B) Behavior by which a person uses or threatens to use sexual violence against another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age.

(2) Each school district board shall adopt a policy that:

(a) States that teen dating violence is unacceptable and is prohibited and that each student has the right to a safe learning environment;

(b) Incorporates age-appropriate education about teen dating violence **and domestic violence** into new or existing training programs for students in grades 7 through 12 and school employees as recommended by the school officials identified under paragraph (d) of this subsection;

(c) Establishes procedures for the manner in which employees of a school are to respond to incidents of teen dating violence that take place at the school, on school grounds, at school-sponsored activities or in vehicles used for school-provided transportation;

(d) Identifies by job title the school officials who are responsible for receiving reports related to teen dating violence, which shall be the same school officials identified in the policy adopted by a school district under ORS 339.356; and

(e) Notifies students and parents of the teen dating violence [policy] **and domestic violence policies** adopted by the board.

(3) The policy adopted under subsection (2) of this section must be included in and consistent with the policy adopted by a school district under ORS 339.356.

**SECTION 3.** ORS 409.290 is amended to read:

409.290. As used in ORS 409.290 to 409.300 unless the context requires otherwise:

(1) "Crisis line" means an emergency telephone service staffed by persons who are trained to provide emergency peer counseling, information, referral and advocacy to victims of family or teen dating violence and their families.

(2) "Director" means the Director of Human Services.

(3) **"Domestic violence" means abuse as defined in ORS 107.705 between family and household members, as those terms are defined in ORS 107.705.**

[(3)] (4) "Family violence" means the physical injury, sexual abuse or forced imprisonment, or threat thereof, of a person by another who is related by blood, marriage or intimate cohabitation at the present or has been related at some time in the past, to the extent that the person's health or welfare is harmed or threatened thereby, as determined in accordance with rules prescribed by the director.

[(4)] (5) "Safe house" means a place of temporary refuge, offered on an "as needed" basis to victims of family violence and their families.

[(5)] (6) "Shelter home" means a place of temporary refuge, offered on a 24-hour, seven-day per week basis to victims of family violence and their children.

[(6)] (7) "Teen dating violence" means:

(a) A pattern of behavior in which a person uses or threatens to use physical, mental or emotional abuse to control another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age; or

(b) Behavior by which a person uses or threatens to use sexual violence against another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age.

**SECTION 4.** ORS 409.292 is amended to read:

409.292. (1) The Director of Human Services may make grants to and enter into contracts with non-profit private organizations or public agencies for programs and projects designed to prevent, identify and treat family, **domestic** and teen dating violence. Grants or contracts under this subsection may be:

(a) For the funding of shelter homes for spouses and children who are or have experienced family violence **or domestic violence** including acquisition and maintenance of shelter homes;

(b) For the funding of crisis lines providing services to victims of family, **domestic** or teen dating violence and their families;

(c) For the funding of safe houses for victims of family **or domestic** violence and their families;

(d) For the funding of services, programs and curricula to educate and inform students in grades 7 through 12 about teen dating **and domestic** violence, to provide assistance to victims of teen dating **and domestic** violence and to prevent and reduce the incidence of teen dating **and domestic** violence; and

(e) For the development and establishment of programs for professional and paraprofessional personnel in the fields of social work, law enforcement, education, law, medicine and other relevant fields who are engaged in the field of the prevention, identification and treatment of family, **domestic** and teen dating violence and training programs in methods of preventing family, **domestic** and teen dating violence.

(2) The director shall not make a grant to any organization or agency under this section except on the condition that a local governmental unit or community organization provide matching moneys

equal to 25 percent of the amount of the grant. The applying organization itself may contribute to or provide the required local matching funds. The value of in kind contributions and volunteer labor from the community may be computed and included as a part of the local matching requirement imposed by this subsection.

(3) Notwithstanding the provisions of ORS 192.001 to 192.170, 192.210 to 192.505 and 192.610 to 192.990:

(a) The director may by rule provide that the locations of premises utilized for shelter homes or other physical facilities in family **and domestic** violence programs and projects shall be kept confidential.

(b) All information maintained by the shelter home, safe house or crisis line relating to clients is confidential. However, crisis lines specifically funded to provide services for victims of child abuse are subject to the requirements of ORS 419B.005 to 419B.050. Except for the names of clients, necessary information may be disclosed to the director.

**SECTION 5. (1) The Department of Education shall provide school districts with posters containing information in both English and Spanish regarding domestic violence and at least one toll-free hotline telephone number that a student may call to obtain information and help regarding domestic violence.**

**(2) Each school district board shall adopt policies that require posting of the posters in clearly visible locations on school campuses in accordance with rules adopted by the department.**

**(3) The department shall adopt rules to implement the provisions of this section.**

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