

CHAPTER 68**AN ACT**

SB 1587

Relating to children's advocacy centers; and declaring an emergency.

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

SECTION 1. Sections 2 and 3 of this 2024 Act are added to and made a part of ORS 418.746 to 418.796.

SECTION 2. The Legislative Assembly finds that children's advocacy centers rely upon state funding and it is necessary and in the public interest to provide children's advocacy centers and employees of children's advocacy centers with certain immunities from civil liability arising out of children's advocacy centers' good faith participation in conducting statutorily mandated child abuse assessments.

SECTION 3. (1) If a children's advocacy center provides evidence that it is a member in good standing of, or is actively working toward accreditation by, a national organization that provides accreditation based on nationally recognized standards and on evidence-based measures, an employee or designated agent of the children's advocacy center who is participating in good faith in a child abuse assessment and who has reasonable grounds for that participation and for the conclusions or diagnoses made in that assessment shall have immunity:

(a) From any civil liability that might otherwise be incurred or imposed with respect to participating in the assessment; and

(b) With respect to participating in any judicial proceeding resulting from the assessment.

(2) A children's advocacy center shall have the same immunity from any civil liability that might otherwise be incurred with respect to its employees' or designated agents' participation in a child abuse assessment as described in subsection (1) of this section.

(3) Nothing in this section provides a children's advocacy center with immunity from liability for discrimination by its employees or designated agents if the discrimination is on the basis of a protected class, as defined in ORS 652.210.

(4) Nothing in this section may be construed to limit or otherwise affect the liability of any person for damages resulting from the person's:

(a) Gross negligence;

(b) Reckless, wanton or intentional misconduct;

(c) Abuse or neglect of the child who is the subject of the child abuse assessment; or

(d) Medical malpractice.

(5) As used in this section, "designated agent" means a person contracted by a children's advocacy center to conduct child abuse assessments.

SECTION 4. Section 3 of this 2024 Act applies to acts occurring on or after the effective date of this 2024 Act.

SECTION 5. This 2024 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2024 Act takes effect on its passage.

Approved by the Governor March 27, 2024

Filed in the office of Secretary of State March 27, 2024

Effective date March 27, 2024