

House Bill 4077

Sponsored by Representatives WAND, BAILEY, Senator MONNES ANDERSON; Representatives BREWER, DEMBROW, GARRETT, GELSER, HUNT, KENY-GUYER, MATTHEWS, READ, SCHAUFLER, TOMEI (Pre-session filed.)

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 **as introduced**.

Directs each school district board to adopt policy regarding teen dating violence.

Directs Department of Justice to use moneys in Oregon Domestic and Sexual Violence Services Fund for purposes related to teen dating violence.

Allows Director of Human Services to make grants for prevention, identification and treatment related to teen dating violence.

Requires Director of Oregon Health Authority to create or include in existing survey of teens questions about teen dating violence.

A BILL FOR AN ACT

1
2 Relating to teen dating violence; creating new provisions; and amending ORS 147.450, 147.453,
3 409.290 and 409.292.

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

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

6 (a) **“Dating” or “dating relationship” means an ongoing social relationship of a romantic**
7 **or intimate nature between two persons.**

8 (b) **“Teen dating violence” means:**

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

12 (B) **Behavior by which a person uses or threatens to use sexual violence against another**
13 **person who is in a dating relationship with the person, where one or both persons are 13 to**
14 **19 years of age.**

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

16 (a) **States that teen dating violence is unacceptable and is prohibited and that each stu-**
17 **dent has the right to a safe learning environment;**

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

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

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

27 (e) **Notifies students and parents of the teen dating violence policy adopted by the board.**

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

3 **SECTION 2.** ORS 147.450 is amended to read:

4 147.450. As used in ORS 147.450 to 147.471:

5 (1) “Domestic violence” has the meaning given that term in ORS 135.230 **and includes teen**
6 **dating violence.**[; *and*]

7 (2) “Sexual assault” means any unwanted sexual contact as defined in ORS 163.305.

8 **(3) “Teen dating violence” means:**

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

12 **(b) Behavior by which a person uses or threatens to use sexual violence against another**
13 **person who is in a dating relationship with the person, where one or both persons are 13 to**
14 **19 years of age.**

15 **SECTION 3.** ORS 147.453 is amended to read:

16 147.453. There is established in the State Treasury, separate and distinct from the General Fund,
17 the Oregon Domestic and Sexual Violence Services Fund. All moneys in the fund are continuously
18 appropriated to the Department of Justice and shall be used by the department to carry out a pro-
19 gram of domestic and sexual violence services that:

20 (1) Provides safety for and assists victims of domestic violence and sexual assault, promotes ef-
21 fective intervention and reduces the incidence of domestic violence and sexual assault;

22 (2) Advocates for victims and for domestic violence and sexual assault services; [*and*]

23 (3) Promotes and facilitates interagency and interdepartmental cooperation among state agen-
24 cies, including the Department of Human Services, and among different levels of government in this
25 state in the delivery and funding of services[.]; **and**

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

29 **SECTION 4.** ORS 409.290 is amended to read:

30 409.290. As used in ORS 409.290 to 409.300 unless the context requires otherwise:

31 (1) “Crisis line” means an emergency telephone service staffed by persons who are trained to
32 provide emergency peer counseling, information, referral and advocacy to victims of [*domestic*]
33 **family or teen dating** violence and their families.

34 (2) “Director” means the Director of Human Services.

35 (3) “Family violence” means the physical injury, sexual abuse or forced imprisonment, or threat
36 thereof, of a person by another who is related by blood, marriage or intimate cohabitation at the
37 present or has been related at some time in the past, to the extent that the person’s health or wel-
38 fare is harmed or threatened thereby, as determined in accordance with rules prescribed by the di-
39 rector.

40 (4) “Safe house” means a place of temporary refuge, offered on an “as needed” basis to victims
41 of [*domestic*] **family** violence and their families.

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

44 **(6) “Teen dating violence” means:**

45 **(a) A pattern of behavior in which a person uses or threatens to use physical, mental or**

1 **emotional abuse to control another person who is in a dating relationship with the person,**
 2 **where one or both persons are 13 to 19 years of age; or**

3 **(b) Behavior by which a person uses or threatens to use sexual violence against another**
 4 **person who is in a dating relationship with the person, where one or both persons are 13 to**
 5 **19 years of age.**

6 **SECTION 5.** ORS 409.292 is amended to read:

7 409.292. (1) The Director of Human Services may make grants to and enter into contracts with
 8 nonprofit private organizations or public agencies for programs and projects designed to prevent,
 9 identify and treat family **and teen dating** violence. Grants or contracts under this subsection may
 10 be:

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

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

15 (c) For the funding of safe houses for victims of [*domestic*] **family** violence and their families;
 16 [*and*]

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

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

25 (2) The director shall not make a grant to any organization or agency under this section except
 26 on the condition that a local governmental unit or community organization provide matching moneys
 27 equal to 25 percent of the amount of the grant. The applying organization itself may contribute to
 28 or provide the required local matching funds. The value of in kind contributions and volunteer labor
 29 from the community may be computed and included as a part of the local matching requirement
 30 imposed by this subsection.

31 (3) Notwithstanding the provisions of ORS 192.001 to 192.170, 192.210 to 192.505 and 192.610 to
 32 192.990:

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

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

39 **SECTION 6.** (1) **The Director of the Oregon Health Authority shall create or include in**
 40 **any existing survey that is regularly conducted of students in grades 8 and 11 in this state**
 41 **questions about teen dating violence. The questions shall be designed to elicit responses that**
 42 **will assist the Oregon Health Authority to determine, at a minimum:**

43 **(a) Whether teens in this state are informed about teen dating violence and, if they are,**
 44 **how they have been informed about teen dating violence;**

45 **(b) The incidence of teen dating violence;**

- 1 **(c) The type of assistance, if any, available to victims of teen dating violence;**
 - 2 **(d) Possible reasons for teen dating violence and suggestions to prevent or reduce the**
 - 3 **incidence of teen dating violence; and**
 - 4 **(e) The needs of victims of teen dating violence.**
 - 5 **(2) The Director of the Oregon Health Authority shall share information obtained from**
 - 6 **the survey conducted under this section with the Director of Human Services.**
 - 7 **(3) As used in this section, “teen dating violence” has the meaning given that term in**
 - 8 **ORS 409.290.**
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