



Oregon Alliance to End Violence Against Women

2024 Legislative Summary

*Note: The below is a brief summary of DVSA-related bills and issues tracked by the Alliance this session. For full detail, click on the relevant hyperlink to get to the bill itself, associated testimony, recordings of hearings, and budget reports. For more information or follow-up training, please feel free to contact any of the members of the Alliance Steering Committee, and we will be glad to assist you. **Thank you as always to the many survivors and advocates who shared their stories and expertise in advancing justice this session. Thank you as well to the many multi-disciplinary community partners who worked in partnership with us to advance these bills.***

Note that as of this writing, many bills have not yet wound their way to the Governor's desk for signature. This process takes some time, and bills that are listed as "effective upon passage" will take effect on the day the Governor signs them. If the Governor has not signed a bill before the last day of session, she has 30 business days to sign or veto the bill. If there is no action taken during those 30 days, the bill will become law on April 6th, 2024.

The below is not legal advice and is not intended to be a complete summary of all bills.

- 1. Funding for Survivor Services:** Funding for survivor services is always our top legislative priority. The past years have been challenging for us all, but especially so for survivors and for advocates. The affordable housing crisis has drastically increased the need for and length of stay in emergency shelter, as survivors seeking safety were less able to find or access safe affordable housing. At the same time, this crisis is impacting shelter and advocacy staff themselves, resulting in both internal and external challenges for programs. Fortunately, this session saw several important investments in services for survivors, key aspects of which are highlighted below:
 - **Roll-up of last session's one-time \$16 million increase to Oregon Domestic and Sexual Violence Services (ODSVS) and Survivor Housing Fund (SHF) funding:** Passage of [HB 4140](#) (more detail below) ensured that these former one-time funding allocations will be rolled into ongoing continuing service levels for future agency budget proposals.
 - **One-time additional "plus-up" of ODSVS and SHF funding, by \$2 million each.** These funding allocations can be found in the "end-of-session" bill, [SB 5701](#), see sections 454 and 455, on page 54.
 - **Funding for the management of the Oregon SAE/SANE Certification Commission by the Attorney General's Sexual Assault Task Force - \$400,000,** see section 393 on page 51 of [SB 5701](#).
 - **Increase to the grant amount available as Temporary Assistance for Domestic Violence Survivors (TA-DVS) through the Department of Human Services.** Section 280 on page 34 of [SB 5701](#) allocated \$10.4 million of TANF-carryover funds to the TA-DVS program, to increase emergency grant amounts from \$1,200 to \$3,200. The new benefit amounts will likely be available sometime this fall. No other aspects of the program are expected to change other than the grant amount.

2. Substantive Policy Bills: Oregon Law Center, Oregon Coalition Against Domestic and Sexual Violence, Oregon Alliance to End Violence Against Women, and Oregon Attorney General’s Sexual Assault Task Force, along with many local programs and other partners worked this session to raise awareness of the myriad issues and challenges facing survivors. In addition to monitoring criminal justice, education, confidentiality, health care, and civil protection substantive policy issues, we worked hard to raise awareness of the need for flexible and sustainable funding for basic safety services and supports for survivors in each of the policy committees. See below for the list of primary bills we followed this session:

Bill Number	Regarding	Bill Summary	Effective Date
<u>HB 4086</u>	Child Abuse Investigations	HB 4086 requires the Department of Human Services to commission two studies: one on the scope of child abuse investigations in Oregon, and the other on a response to children exhibiting problematic sexual behavior. Both studies require a facilitator who specializes in public policy and require a preliminary report be presented to interim legislative committees by September 30, 2024, and the final report by September 15, 2025. DHS is required to establish an advisory committee for each study to assist the facilitators in their research and presentation.	Effective on passage
<u>HB 4140</u>	Stability for DVSA Victim Services Funding	HB 4140 increases funding stability for Child Advocacy Centers as well as non-profit DVSA services providers that are recipients of Oregon Domestic and Sexual Violence Services (ODSVS) and Survivor Housing Fund (SHF) grants, by directing that previous one-time grant amounts be wrapped into the ongoing continuing service level budgets for these programs. The Department of Justice will include in future budget requests not only the previous on-going funding levels but also the previous one-time allocations.	Effective on passage
<u>HB 4146</u>	Intimate Image Sexual Assault; Protection Order Venue	HB 4146 addresses two different issues important to survivors: <ul style="list-style-type: none"> 1) Removes the requirement that a disclosed image be “identifiable” for purposes of the crime of unlawful dissemination of an intimate image. Under current law, the statute requires that victims of this crime be “identifiable” in the explicit photos shared of them, using the photos alone. This has led to instances where courts cannot convict perpetrators because the victims were not obviously identifiable in the photos, even when contextual facts would clearly establish that the photos were of the victim. HB 4146A closes the loophole in the current law, removing the requirement that the photo be identifiable as the victim without any context, and ensuring that contextual facts can be used to establish that the photo is of the victim. The bill does not alter any other evidentiary requirements of the current law. 	Effective on passage; operative July 1, 2024

		<p>2) Provides that a petition for a Family Abuse Prevention Act order, Elderly Persons and Persons with Disabilities Abuse Prevention Act order or Sexual Abuse Protection Order may be filed in the county in which the abuse occurred. This change does not alter any other current provisions or requirements of the protection order statutes, but merely adds the option to file the petition in the county where the abuse took place.</p>	
<u>HB 4156</u>	Stalking Statute Modernization	<p>HB 4146 updates Oregon’s stalking statutes to address stalking behavior through the use of technology:</p> <p>1) Adds certain types of “contacts” that qualify as contacts under the stalking law, to address new dangers we see in this age of technology:</p> <ul style="list-style-type: none"> • Obtaining, possessing, transferring, creating, uttering or converting to the person’s own use the personal identification of the other person; • Disclosing an image of the other person, whose intimate parts are visible or who is engaged in sexual conduct, without the consent of the other person; • The use of an electronic service, application, device or other electronic means to obtain, monitor or interfere with the location, communication or activities of the other person, without the consent of the other person; or • Causing a third person to harass, humiliate or injure the other person by disclosing the other person’s name, image or personal information, as that term is defined in ORS 30.835, without the consent of the other person. <p>2) Adds to the list of circumstances that qualify for the current felony upgrade (from Misdemeanor to Class C felony) for stalking or for VRO when certain pre-conditions have been met, to include:</p> <ul style="list-style-type: none"> • The person has a prior conviction for stalking or for violating a court’s stalking protective order or an equivalent crime in another jurisdiction; • The person is the respondent for an active protection order in any jurisdiction that restrains the person from stalking, intimidating, molesting or menacing another person, and the person protected by the order is not the victim of the current offense; • At least one instance of the unwanted contact is the commission of the following against the victim: (i) A felony; (ii) Unlawful dissemination of an intimate image under ORS 163.472; or (iii) Unlawful use of a global positioning system device under ORS 163.715. 	Takes effect July 1, 2024.

<u>HB 4160</u>	Relating to sexual conduct involving a student; and prescribing an effective date.	HB 4160 extends the time frame a person is considered a student for laws related to reports, investigations, and disclosures concerning sexual conduct by an educator involving a student from 90 days after the student leaves school or graduates high school to one calendar year after the student leaves school or graduates high school.	Takes effect July 1, 2024.
<u>HB 4164</u>	Technical Fix to Campus Assault Response Bill	<p>HB 4164 is a technical fix to improve certain aspects of 2023's <u>HB 3456</u>, which created a Campus Sexual Misconduct Survey Council to develop a standard statewide sexual misconduct climate survey, and implemented specific requirements for how institutions of higher education should address sexual misconduct on campus, including collecting and reporting certain data, providing prevention and awareness training to students and employees, and offering certain services to students who report experiencing sexual misconduct.</p> <p>HB 4164 makes several amendments to the previous bill, including specifying that the definition of "student" includes individuals who have taken a leave of absence within the past two academic years, specifying that the requisite "trauma-informed response" must include an understanding of sexual assault and related trauma, and creating an annual process by which certain institutions can receive a waiver for the requirement to partner with a local victim advocacy organization to provide a certified advocate and on-campus advocacy services, if certain criteria are met. The bill also requires institutions to report the number of students or employees who reported sexual misconduct but chose not to pursue an investigation, and the number of ongoing investigations into an accusation of sexual misconduct. The bill extends the deadline for the Sexual Misconduct Survey Council to develop a survey to the start of the 2025-2026 academic year.</p>	Takes effect on passage.
<u>SB 1503</u>	Task Force on Community Safety and Firearm Prevention	<p>SB 1503 establishes the Task Force on Community Safety and Firearm Suicide Prevention and requires the task force to report to the interim committees of the Legislative Assembly related to health care. The bill also appropriates money for research on gun violence and suicide prevention ordered by the task force.</p> <p>Sunsets on December 31, 2026.</p>	Takes effect on the 91st day following adjournment sine die.