

# DRAFT

## SUMMARY

Directs Public Records Advocate to estimate biennial costs to carry out duties of advocate and to allocate and assess costs among public bodies of state government. Directs advocate to adopt rules establishing methods for allocating and collecting assessments. Credits assessments to Public Records Advocate Fund.

Takes effect on 91st day following adjournment sine die.

### A BILL FOR AN ACT

1  
2 Relating to the Public Records Advocate; creating new provisions; amending  
3 ORS 192.477; and prescribing an effective date.

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

5 **SECTION 1. (1) On or before January 1 preceding the start of a**  
6 **biennium, the Public Records Advocate shall estimate the expenses the**  
7 **advocate will incur for the upcoming biennium in carrying out the**  
8 **provisions of ORS 192.461 to 192.475. The advocate shall report the es-**  
9 **timate to the Oregon Department of Administrative Services and the**  
10 **Legislative Fiscal Officer.**

11 **(2) The advocate shall charge an assessment to each public body in**  
12 **state government so as to recoup the costs estimated under subsection**  
13 **(1) of this section. Each public body in state government shall pay to**  
14 **the credit of the advocate the amount the public body was assessed**  
15 **under this subsection as an administrative expense from funds or ap-**  
16 **propriations available to the public body in the same manner as other**  
17 **claims against the public body are paid.**

18 **(3) The advocate shall adopt rules specifying the method for allo-**

1 **cating the expenses described in subsection (1) of this section among**  
2 **public bodies in state government and for collecting the assessments**  
3 **described in this section.**

4 **(4) As used in this section, “state government” has the meaning**  
5 **given that term in ORS 174.111.**

6 **SECTION 2. ORS 192.477 is amended to read:**

7 192.477. (1) The Public Records Advocate Fund is established in the State  
8 Treasury, separate and distinct from the General Fund. Interest earned by  
9 the Public Records Advocate Fund shall be credited to the Public Records  
10 Advocate Fund.

11 (2) The Public Records Advocate Fund shall consist of:

12 **(a) Moneys collected under section 1 of this 2023 Act;**

13 **(b) Moneys appropriated or otherwise transferred to the fund by the**  
14 **Legislative Assembly; and**

15 **(c) Interest earnings of the fund.**

16 (3) Moneys in the Public Records Advocate Fund are continuously ap-  
17 propriated to the Public Records Advocate for the purpose of funding the  
18 operations of the office of the Public Records Advocate and the Public Re-  
19 cords Advisory Council.

20 **SECTION 3. Section 1 of this 2023 Act and ORS 192.477 are added to**  
21 **and made a part of ORS 192.461 to 192.475.**

22 **SECTION 4. This 2023 Act takes effect on the 91st day after the date**  
23 **on which the 2023 regular session of the Eighty-second Legislative**  
24 **Assembly adjourns sine die.**

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