



The Office of the Public Records Advocate has reviewed the [bills pending before the 2023 session of the Oregon State Legislature](#) and listed below for informational purposes only bills that impact or relate to the Public Records Law, ORS Chapter 192:

Senate Bills (SB)

1. **SB 160:** Requires certain public bodies to reduce public records request fees by 40 percent if request is made in public interest.
2. **SB 163:** Directs Secretary of State to study public records laws and operation of public records laws in Oregon, and to report to Legislative Assembly on findings.
3. **SB 212:** Makes confidential and exempts from discovery and public records certain communications and information conveyed during peer support check-in sessions with Oregon Youth Authority employees.
4. **SB 215:** Exempts from disclosure records, including reports, less than 75 years old which are required to be retained as provided by ORS 339.391.
5. **SB 216:** Prohibits disclosure of individually identifiable data collected in accordance with uniform standards adopted by Oregon Health Authority for collection of data on race, ethnicity, preferred spoken and written languages, disability status, sexual orientation and gender identity.
6. **SB 234:** Expands authority of Chief Justice of Supreme Court to make rules for gathering specified information and identifying and evaluating disparities and impacts in justice system in Oregon; permits the Chief Justice and the Board of Governors of the Oregon State Bar to formulate rules to protect data that is required to remain confidential under federal law.
7. **SB 325:** Prohibits licensing board, commission or agency from denying, suspending or revoking occupational or professional license solely for reason that applicant or licensee was convicted of crime or subject to qualifying juvenile adjudication that does not substantially relate to specific duties and responsibilities for which license is required; creates new exemption to disclosure of public records.
8. **SB 417:** Defines “actual cost” for providing records as search, duplication, and

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review, directs public bodies to complete a public records request in least expensive manner reasonably possible; provides direction on when and to whom public bodies shall or may waive or reduce fees.

- 9. SB 501:** Establishes Bank of the State of Oregon; establishes new exemption to disclosure of public records.
- 10. SB 510:** Directs Public Records Advocate to estimate biennial costs to carry out duties of advocate and to allocate and assess cost among public bodies of state government; represents vital last step to establish office as independent state agency.
- 11. SB 517:** Prohibits licensing board, commission or agency from denying, suspending or revoking occupational or professional license solely for reason that applicant or licensee was convicted of crime or subject to qualifying juvenile adjudication that does not substantially relate to specific duties and responsibilities for which license is required; creates new exemption to disclosure of public records.
- 12. SB 560:** Directs State Board of Education to establish rules requiring provision of advocacy services to parents of children with disabilities in relation to public education; defines personally identifiable information for purposes of this bill.
- 13. SB 586:** Makes restorative justice communications confidential.
- 14. SB 701:** Requires Oregon Criminal Justice Commission to establish statewide online database of certain information about public safety employees; modifies crime of tampering with public records, eliminates exemption from disclosure of public records for disciplinary records of public safety officers.
- 15. SB 758:** Prescribes timelines and redacting requirements for records related to provision of special education.

House Bills (HB)

- 16. HB 2003:** As applies to campaign finance, amends ORS Chapter 260 to exclude the name and any identifying information about an individual member of a membership organization from disclosure under the public records statutes.
- 17. HB 2037:** Requires the Public Records Advisory Council to study public records law and practices.

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- 18. HB 2104:** Requires Secretary of State to study how best to ensure confidentiality of election records.
- 19. HB 2129:** Exempts from prosecution for unlawfully obtaining contents of communication persons who did not participate in initially obtaining communication regarding a matter of public concern.
- 20. HB 2136** Restricts public body from imposing fee for public record if public body maintains record in electronic form, requester agrees to accept record in electronic form, and record is retrievable by public body without need to conduct archival search for record. Establishes presumption that fee restriction applies to requested record unless public body can document extraordinary need for public body's staff to be involved in retrieval and preparation for disclosure of public record.
- 21. HB 2225** Amends ORS 7.095 to allow the court to review records kept by use of electronic data processing equipment before these records become subject to public disclosure under ORS 192.311 to 192.478.
- 22. HB 2272** Requires Director of Department of Consumer and Business Services to keep confidential and not disclose to public any information that would identify employee who provided information or participated in inspection or investigation of place of employment unless employee consents to disclosure.
- 23. HB 2408:** Enacts interstate Nurse License Compact, permitting Oregon State Board of Nursing to disclose specified information on applicants to Interstate Commission of Nurse Licensure Compact Administrators.
- 24. HB 2423:** Directs the Oregon Health Authority to establish and administer the Pregnancy Launch Program (PLP). Amends ORS 192.355 to add exemption for records submitted to the PLP that relate to personally identifiable information, date of contact, type of contact, any referrals resulting from the contact, and any contact or personal information of family members of the individual, or the name or personal information of any owner, agent, employee or volunteer of an organization providing services through the PLP. Allows disclosure with consent.
- 25. HB 2490:** Relating to cybersecurity. Amends ORS 192.355 to add exemption for documents, record, or plan for protection relating to the existence, nature, location, or function of cybersecurity devices, programs, or systems designed to protect computer, information technology or communications



systems against threat or attack. Specifically includes contractual records or insurance records that contain cybersecurity specifications.

- 26. HB 2526:** Directs the Oregon Health Authority to create a pregnancy resources hotline (“hotline”). Amends ORS 192.355 to unconditionally exempt records created by or submitted to the hotline, or records created by or submitted to an individual providing abortion services that relate to the name or personal information of an individual who contacts the hotline or receives services from the service provider, including the date of contact or service, the type of contact or service, and any referrals arising out of the contact or service. Personally identifiable information of owner, agent, employee or volunteer of an organization providing services through the hotline.
- 27. HB 2676:** Modifies Department of Justice crime victim compensation program. Amends ORS 147.115 to read that all information submitted to the Department of Justice by an applicant for victim compensation under ORS 147.005 to 147.367 shall be confidential.
- 28. HB 2821:** Requires nonprofit corporations that meet certain requirements, including receipt of public funds, to comply with open meetings law and public records law.
- 29. HB 2943:** Directs Governor to establish advisory committee for appointment of new Superintendent of State Police. Amends ORS 192.355 to exempt from disclosure information submitted by the Governor to this advisory committee regarding candidates.
- 30. HB 3011:** Provides for transparency and coordination when local governments enter into agreements for property tax exemptions with business firms.
- 31. HB 3044:** Modifies definition of “personal representative” re: access to minor’s protected health information to include minor’s parent or legal guardian.
- 32. HB 3073:** Prohibits Secretary of State and county clerks from disclosing as public record, or including on list of electors, residence address or elector who is candidate for elected office or holder of elected office.
- 33. HB 3111:** Amends ORS 192.355(12) to exempt from disclosure personal information of employees and retirees maintained by retirement system operated by local government. Exempts personal information of employees and volunteers of public bodies regardless of retirement system in which information is maintained.

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