

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

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| Action: | Do Pass as Amended and Be Printed Engrossed |
| Vote: | 8 - 0 - 1 |
| Yeas: | Barker, Bonamici, Cameron, Flores, Komp, Read, Whisnant, Macpherson |
| Nays: | 0 |
| Exc.: | Krieger |
| Prepared By: | Matt Kalmanson, Counsel |
| Meeting Dates: | 1/19, 4/20 |

WHAT THE MEASURE DOES: Expands definition of “actual address” in Address Confidentiality Program (“Program”) statute to include participants’ county of residence and election precinct, operative June 1, 2008. Allows participants to use a substitute address when the law requires the disclosure of a residence. Requires public bodies to adopt policies preventing the disclosure of actual addresses or telephone numbers to their employees. Repeals provision permitting the Attorney General to disclose actual addresses when requested by law enforcement or public agencies without a court order. Creates a “good cause” standard for courts to apply to requests for the disclosure of actual addresses, and requires courts to address the safety and protection of the participant. Permits the Oregon Department of Transportation (ODOT) to issue licenses or identification cards, and participants to apply for licenses or identification cards, without disclosing actual addresses. Requires ODOT to use a participant’s substitute address instead of actual address, and to remove records of actual address, upon request by a participant and verification by ODOT. Prohibits county clerk from disclosing actual address of a Program participant. Establishes that jury source lists and lists of active electors may not contain information about Program participants.

ISSUES DISCUSSED:

- The requirements and benefits of the Program
- The recommendations of the Address Confidentiality Program Advisory Committee
- The need to extend protections to include drivers’ licenses
- Provisions that address needs of law enforcement

EFFECT OF COMMITTEE AMENDMENT: Provides that new definition of “actual address” becomes operative on June 1, 2008. Reinserts provision allowing public bodies to seek waivers from the requirements. Allows a court, in the context of an order disclosing an actual address, to address, as much as practicable, the safety and protection of the participant. Establishes that jury source lists and lists of active electors may not contain information about participants.

BACKGROUND: The Address Confidentiality Program (ACP) was established by the legislature in 2005. It enables victims of domestic violence, sexual assault and stalking to keep their addresses and telephone numbers confidential. It also allows participants to use a substitute address when working with state and local governmental agencies, and provides a mail forwarding service. When the ACP was implemented, ambiguities and limitations were discovered, and an advisory group was formed to recommend solutions. HB 2131 attempts to clarify the law and expand its scope by applying it to county clerks and ODOT, enacting a “good cause” standard, and allowing participants to use substitute addresses whenever a law requires disclosure of a residence.

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This summary has not been adopted or officially endorsed by action of the committee.