

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass as Amended and Be Printed Engrossed

Vote: 4 - 0 - 1

Yeas: Beyer, Kruse, Prozanski, Burdick

Nays: 0

Exc.: Walker

Prepared By: Matt Kalmanson, Counsel

Meeting Dates: 5/23

WHAT THE MEASURE DOES: Expands definition of “actual address” in Address Confidentiality Program (“Program”) to include participants’ county of residence and election precinct. Allows participants to use a substitute address when the law requires 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. Applies Program requirements to Oregon Department of Transportation (ODOT) licensing and registration statutes. 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 ODOT licensing and registration requirements
- Provisions that address needs of law enforcement

EFFECT OF COMMITTEE AMENDMENT: Clarifies that Program requirements apply to ODOT registration requirements.

BACKGROUND: The Program 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 Program was implemented, ambiguities and limitations were discovered, and an advisory group was formed to recommend solutions. HB 2131 B 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.