

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	10 - 0 - 0
Yeas:	Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith J., Stiegler, Whisnant, Barker
Nays:	0
Exc.:	0
Prepared By:	Shannon Sivell, Counsel
Meeting Dates:	3/10, 4/15

WHAT THE MEASURE DOES: Prevents the release of information identifying the holder or applicant for a concealed handgun license (CHL). Authorizes disclosure pursuant to court orders or for criminal justice purposes. Places this exemption into the public records statute ORS 192.502 and provides that it may only be released upon a showing of clear and convincing evidence that the public interest requires disclosure. Allows a CHL holder to request notification from the sheriff if there is a records request for the holder's permit. Requires the custodian of records to consider any information the holder provides prior to making the decision to release the holder's information.

ISSUES DISCUSSED:

- CHL holder's right to privacy
- CHL holder's safety concerns
- Standard for releasing public records
- Whether CHLs should be considered "public records"
- Right to apply for a CHL
- Custodian of records
- Limitations on access to records

EFFECT OF COMMITTEE AMENDMENT: Places this exemption into the public records statute ORS 192.502 and provides that it may only be released upon a showing of clear and convincing evidence that the public interest requires disclosure. Allows a holder to request notification from the sheriff if there is a records request for the holder's permit. Requires the custodian of records to consider any information the holder provides prior to making the decision to release the holder's information.

BACKGROUND: The purpose of this bill is to protect persons with concealed handgun licenses (CHLs) from having their names and CHL status released to the public. Proponents contend that there is no legitimate reason for the names of CHL holders to be disseminated to the public. Additionally, in difficult economic times, it could make CHL holders targets of theft and robbery. Other advocates note that victims who have sought to protect themselves, particularly female victims of violence, would be further victimized by having their names and home addresses released as part of the CHL information.

4/23/2009 3:47:00 PM

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