

C-Engrossed
House Bill 2339

Ordered by the Senate June 17
Including House Amendments dated April 16 and Senate Amendments
dated June 8 and June 17

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of House Interim Committee on Judiciary for Oregon District Attorneys' Association)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Expands exemption from disclosure of certain personal information to include personal information sought by district attorney, deputy district attorney, Attorney General or assistant attorney general, United States Attorney for District of Oregon or assistant United States attorney for District of Oregon, city attorney who engages in prosecution of criminal matters or deputy city attorney who engages in prosecution of criminal matters. Specifies procedure by which information may be disclosed. Creates exceptions.

A BILL FOR AN ACT

1
2 Relating to exemptions from disclosure of information; amending ORS 192.501.

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

4 **SECTION 1.** ORS 192.501, as amended by section 1, chapter 48, Oregon Laws 2008, is amended
5 to read:

6 192.501. The following public records are exempt from disclosure under ORS 192.410 to 192.505
7 unless the public interest requires disclosure in the particular instance:

8 (1) Records of a public body pertaining to litigation to which the public body is a party if the
9 complaint has been filed, or if the complaint has not been filed, if the public body shows that such
10 litigation is reasonably likely to occur. This exemption does not apply to litigation which has been
11 concluded, and nothing in this subsection shall limit any right or opportunity granted by discovery
12 or deposition statutes to a party to litigation or potential litigation.

13 (2) Trade secrets. "Trade secrets," as used in this section, may include, but are not limited to,
14 any formula, plan, pattern, process, tool, mechanism, compound, procedure, production data, or
15 compilation of information which is not patented, which is known only to certain individuals within
16 an organization and which is used in a business it conducts, having actual or potential commercial
17 value, and which gives its user an opportunity to obtain a business advantage over competitors who
18 do not know or use it.

19 (3) Investigatory information compiled for criminal law purposes. The record of an arrest or the
20 report of a crime shall be disclosed unless and only for so long as there is a clear need to delay
21 disclosure in the course of a specific investigation, including the need to protect the complaining
22 party or the victim. Nothing in this subsection shall limit any right constitutionally guaranteed, or
23 granted by statute, to disclosure or discovery in criminal cases. For purposes of this subsection, the
24 record of an arrest or the report of a crime includes, but is not limited to:

25 (a) The arrested person's name, age, residence, employment, marital status and similar bi-

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 ographical information;

2 (b) The offense with which the arrested person is charged;

3 (c) The conditions of release pursuant to ORS 135.230 to 135.290;

4 (d) The identity of and biographical information concerning both complaining party and victim;

5 (e) The identity of the investigating and arresting agency and the length of the investigation;

6 (f) The circumstances of arrest, including time, place, resistance, pursuit and weapons used; and

7 (g) Such information as may be necessary to enlist public assistance in apprehending fugitives
8 from justice.

9 (4) Test questions, scoring keys, and other data used to administer a licensing examination,
10 employment, academic or other examination or testing procedure before the examination is given
11 and if the examination is to be used again. Records establishing procedures for and instructing
12 persons administering, grading or evaluating an examination or testing procedure are included in
13 this exemption, to the extent that disclosure would create a risk that the result might be affected.

14 (5) Information consisting of production records, sale or purchase records or catch records, or
15 similar business records of a private concern or enterprise, required by law to be submitted to or
16 inspected by a governmental body to allow it to determine fees or assessments payable or to estab-
17 lish production quotas, and the amounts of such fees or assessments payable or paid, to the extent
18 that such information is in a form which would permit identification of the individual concern or
19 enterprise. This exemption does not include records submitted by long term care facilities as defined
20 in ORS 442.015 to the state for purposes of reimbursement of expenses or determining fees for pa-
21 tient care. Nothing in this subsection shall limit the use which can be made of such information for
22 regulatory purposes or its admissibility in any enforcement proceeding.

23 (6) Information relating to the appraisal of real estate prior to its acquisition.

24 (7) The names and signatures of employees who sign authorization cards or petitions for the
25 purpose of requesting representation or decertification elections.

26 (8) Investigatory information relating to any complaint filed under ORS 659A.820 or 659A.825,
27 until such time as the complaint is resolved under ORS 659A.835, or a final order is issued under
28 ORS 659A.850.

29 (9) Investigatory information relating to any complaint or charge filed under ORS 243.676 and
30 663.180.

31 (10) Records, reports and other information received or compiled by the Director of the De-
32 partment of Consumer and Business Services under ORS 697.732.

33 (11) Information concerning the location of archaeological sites or objects as those terms are
34 defined in ORS 358.905, except if the governing body of an Indian tribe requests the information and
35 the need for the information is related to that Indian tribe's cultural or religious activities. This
36 exemption does not include information relating to a site that is all or part of an existing, commonly
37 known and publicized tourist facility or attraction.

38 (12) A personnel discipline action, or materials or documents supporting that action.

39 (13) Information developed pursuant to ORS 496.004, 496.172 and 498.026 or ORS 496.192 and
40 564.100, regarding the habitat, location or population of any threatened species or endangered spe-
41 cies.

42 (14) Writings prepared by or under the direction of faculty of public educational institutions, in
43 connection with research, until publicly released, copyrighted or patented.

44 (15) Computer programs developed or purchased by or for any public body for its own use. As
45 used in this subsection, "computer program" means a series of instructions or statements which

1 permit the functioning of a computer system in a manner designed to provide storage, retrieval and
2 manipulation of data from such computer system, and any associated documentation and source
3 material that explain how to operate the computer program. "Computer program" does not include:

4 (a) The original data, including but not limited to numbers, text, voice, graphics and images;

5 (b) Analyses, compilations and other manipulated forms of the original data produced by use of
6 the program; or

7 (c) The mathematical and statistical formulas which would be used if the manipulated forms of
8 the original data were to be produced manually.

9 (16) Data and information provided by participants to mediation under ORS 36.256.

10 (17) Investigatory information relating to any complaint or charge filed under ORS chapter 654,
11 until a final administrative determination is made or, if a citation is issued, until an employer re-
12 ceives notice of any citation.

13 (18) Specific operational plans in connection with an anticipated threat to individual or public
14 safety for deployment and use of personnel and equipment, prepared or used by a public body, if
15 public disclosure of the plans would endanger an individual's life or physical safety or jeopardize a
16 law enforcement activity.

17 (19)(a) Audits or audit reports required of a telecommunications carrier. As used in this para-
18 graph, "audit or audit report" means any external or internal audit or audit report pertaining to a
19 telecommunications carrier, as defined in ORS 133.721, or pertaining to a corporation having an af-
20 filiated interest, as defined in ORS 759.390, with a telecommunications carrier that is intended to
21 make the operations of the entity more efficient, accurate or compliant with applicable rules, pro-
22 cedures or standards, that may include self-criticism and that has been filed by the telecommuni-
23 cations carrier or affiliate under compulsion of state law. "Audit or audit report" does not mean an
24 audit of a cost study that would be discoverable in a contested case proceeding and that is not
25 subject to a protective order; and

26 (b) Financial statements. As used in this paragraph, "financial statement" means a financial
27 statement of a nonregulated corporation having an affiliated interest, as defined in ORS 759.390,
28 with a telecommunications carrier, as defined in ORS 133.721.

29 (20) The residence address of an elector if authorized under ORS 247.965 and subject to ORS
30 247.967.

31 (21) The following records, communications and information submitted to a housing authority
32 as defined in ORS 456.005, or to an urban renewal agency as defined in ORS 457.010, by applicants
33 for and recipients of loans, grants and tax credits:

34 (a) Personal and corporate financial statements and information, including tax returns;

35 (b) Credit reports;

36 (c) Project appraisals;

37 (d) Market studies and analyses;

38 (e) Articles of incorporation, partnership agreements and operating agreements;

39 (f) Commitment letters;

40 (g) Project pro forma statements;

41 (h) Project cost certifications and cost data;

42 (i) Audits;

43 (j) Project tenant correspondence requested to be confidential;

44 (k) Tenant files relating to certification; and

45 (L) Housing assistance payment requests.

1 (22) Records or information that, if disclosed, would allow a person to:

2 (a) Gain unauthorized access to buildings or other property;

3 (b) Identify those areas of structural or operational vulnerability that would permit unlawful
4 disruption to, or interference with, services; or

5 (c) Disrupt, interfere with or gain unauthorized access to public funds or to information pro-
6 cessing, communication or telecommunication systems, including the information contained in the
7 systems, that are used or operated by a public body.

8 (23) Records or information that would reveal or otherwise identify security measures, or
9 weaknesses or potential weaknesses in security measures, taken or recommended to be taken to
10 protect:

11 (a) An individual;

12 (b) Buildings or other property;

13 (c) Information processing, communication or telecommunication systems, including the infor-
14 mation contained in the systems; or

15 (d) Those operations of the Oregon State Lottery the security of which are subject to study and
16 evaluation under ORS 461.180 (6).

17 (24) Personal information held by or under the direction of officials of the Oregon Health and
18 Science University or the Oregon University System about a person who has or who is interested
19 in donating money or property to the university, the system or a state institution of higher educa-
20 tion, if the information is related to the family of the person, personal assets of the person or is
21 incidental information not related to the donation.

22 (25) The home address, professional address and telephone number of a person who has or who
23 is interested in donating money or property to the Oregon University System.

24 (26) Records of the name and address of a person who files a report with or pays an assessment
25 to a commodity commission established under ORS 576.051 to 576.455, the Oregon Beef Council
26 created under ORS 577.210 or the Oregon Wheat Commission created under ORS 578.030.

27 (27) Information provided to, obtained by or used by a public body to authorize, originate, re-
28 ceive or authenticate a transfer of funds, including but not limited to a credit card number, payment
29 card expiration date, password, financial institution account number and financial institution routing
30 number.

31 (28) Social Security numbers as provided in ORS 107.840.

32 (29) The electronic mail address of a student who attends a state institution of higher education
33 listed in ORS 352.002 or Oregon Health and Science University.

34 (30) The name, home address, professional address or location of a person that is engaged in,
35 or that provides goods or services for, medical research at Oregon Health and Science University
36 that is conducted using animals other than rodents. This subsection does not apply to Oregon Health
37 and Science University press releases, websites or other publications circulated to the general pub-
38 lic.

39 *[(31)(a) If requested by a public safety officer, as defined in ORS 181.610, by a district attorney,*
40 *by a deputy district attorney or by an assistant attorney general designated by the Attorney General,*
41 *the home address and home telephone number of the public safety officer or attorney contained in the*
42 *voter registration records for the public safety officer or attorney.]*

43 *[(b) If requested by a public safety officer, as defined in ORS 181.610, the home address and home*
44 *telephone number of the public safety officer contained in records of the Department of Public Safety*
45 *Standards and Training.]*

1 [(32) *If requested by a public safety officer, as defined in ORS 181.610, by a district attorney, by*
2 *a deputy district attorney or by an assistant attorney general designated by the Attorney General, the*
3 *name of the public safety officer or attorney contained in county real property assessment or taxation*
4 *records. This exemption:]*

5 [(a) *Applies only to the name of the public safety officer or attorney and any other owner of the*
6 *property in connection with a specific property identified by the officer or attorney in a request for ex-*
7 *emption from disclosure;]*

8 [(b) *Applies only to records that may be made immediately available to the public upon request in*
9 *person, by telephone or using the Internet;]*

10 [(c) *Applies until the public safety officer or attorney requests termination of the exemption;]*

11 [(d) *Does not apply to disclosure of records among public bodies as defined in ORS 174.109 for*
12 *governmental purposes; and]*

13 [(e) *May not result in liability for a county if the name of a public safety officer or attorney is*
14 *disclosed after a request for exemption from disclosure is made under this subsection.]*

15 **(31) If requested by a public safety officer, as defined in ORS 181.610:**

16 **(a) The home address and home telephone number of the public safety officer contained**
17 **in the voter registration records for the public safety officer.**

18 **(b) The home address and home telephone number of the public safety officer contained**
19 **in records of the Department of Public Safety Standards and Training.**

20 **(c) The name of the public safety officer contained in county real property assessment**
21 **or taxation records. This exemption:**

22 **(A) Applies only to the name of the public safety officer and any other owner of the**
23 **property in connection with a specific property identified by the officer in a request for ex-**
24 **emption from disclosure;**

25 **(B) Applies only to records that may be made immediately available to the public upon**
26 **request in person, by telephone or using the Internet;**

27 **(C) Applies until the public safety officer requests termination of the exemption;**

28 **(D) Does not apply to disclosure of records among public bodies as defined in ORS 174.109**
29 **for governmental purposes; and**

30 **(E) May not result in liability for the county if the name of the public safety officer is**
31 **disclosed after a request for exemption from disclosure is made under this subsection.**

32 **(32) Unless the public records request is made by a financial institution, as defined in**
33 **ORS 706.008, consumer finance company licensed under ORS chapter 725, mortgage banker**
34 **or mortgage broker licensed under ORS chapter 59, or title company for business purposes,**
35 **records described in paragraph (a) of this subsection, if the exemption from disclosure of the**
36 **records is sought by an individual described in paragraph (b) of this subsection using the**
37 **procedure described in paragraph (c) of this subsection:**

38 **(a) The home address, home or cellular telephone number or personal electronic mail**
39 **address contained in the records of any public body that has received the request that is set**
40 **forth in:**

41 **(A) A warranty deed, deed of trust, mortgage, lien, deed of reconveyance, release, satis-**
42 **faction, substitution of trustee, easement, dog license, marriage license or military discharge**
43 **record that is in the possession of the county clerk; or**

44 **(B) Any public record of a public body other than the county clerk.**

45 **(b) The individual claiming the exemption from disclosure must be a district attorney, a**

1 **deputy district attorney, the Attorney General or an assistant attorney general, the United**
2 **States Attorney for the District of Oregon or an assistant United States attorney for the**
3 **District of Oregon, a city attorney who engages in the prosecution of criminal matters or a**
4 **deputy city attorney who engages in the prosecution of criminal matters.**

5 **(c) The individual claiming the exemption from disclosure must do so by filing the claim**
6 **in writing with the public body for which the exemption from disclosure is being claimed on**
7 **a form prescribed by the public body. Unless the claim is filed with the county clerk, the**
8 **claim form shall list the public records in the possession of the public body to which the**
9 **exemption applies. The exemption applies until the individual claiming the exemption re-**
10 **quests termination of the exemption or ceases to qualify for the exemption.**

11 (33) Land management plans required for voluntary stewardship agreements entered into under
12 ORS 541.423.

13 **SECTION 2.** ORS 192.501, as amended by section 3, chapter 455, Oregon Laws 2005, section 7,
14 chapter 608, Oregon Laws 2007, section 2, chapter 687, Oregon Laws 2007, and section 2, chapter
15 48, Oregon Laws 2008, is amended to read:

16 192.501. The following public records are exempt from disclosure under ORS 192.410 to 192.505
17 unless the public interest requires disclosure in the particular instance:

18 (1) Records of a public body pertaining to litigation to which the public body is a party if the
19 complaint has been filed, or if the complaint has not been filed, if the public body shows that such
20 litigation is reasonably likely to occur. This exemption does not apply to litigation which has been
21 concluded, and nothing in this subsection shall limit any right or opportunity granted by discovery
22 or deposition statutes to a party to litigation or potential litigation.

23 (2) Trade secrets. "Trade secrets," as used in this section, may include, but are not limited to,
24 any formula, plan, pattern, process, tool, mechanism, compound, procedure, production data, or
25 compilation of information which is not patented, which is known only to certain individuals within
26 an organization and which is used in a business it conducts, having actual or potential commercial
27 value, and which gives its user an opportunity to obtain a business advantage over competitors who
28 do not know or use it.

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30 report of a crime shall be disclosed unless and only for so long as there is a clear need to delay
31 disclosure in the course of a specific investigation, including the need to protect the complaining
32 party or the victim. Nothing in this subsection shall limit any right constitutionally guaranteed, or
33 granted by statute, to disclosure or discovery in criminal cases. For purposes of this subsection, the
34 record of an arrest or the report of a crime includes, but is not limited to:

35 (a) The arrested person's name, age, residence, employment, marital status and similar bi-
36 ographical information;

37 (b) The offense with which the arrested person is charged;

38 (c) The conditions of release pursuant to ORS 135.230 to 135.290;

39 (d) The identity of and biographical information concerning both complaining party and victim;

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42 (g) Such information as may be necessary to enlist public assistance in apprehending fugitives
43 from justice.

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45 employment, academic or other examination or testing procedure before the examination is given

1 and if the examination is to be used again. Records establishing procedures for and instructing
2 persons administering, grading or evaluating an examination or testing procedure are included in
3 this exemption, to the extent that disclosure would create a risk that the result might be affected.

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5 similar business records of a private concern or enterprise, required by law to be submitted to or
6 inspected by a governmental body to allow it to determine fees or assessments payable or to estab-
7 lish production quotas, and the amounts of such fees or assessments payable or paid, to the extent
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12 regulatory purposes or its admissibility in any enforcement proceeding.

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15 purpose of requesting representation or decertification elections.

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17 until such time as the complaint is resolved under ORS 659A.835, or a final order is issued under
18 ORS 659A.850.

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20 663.180.

21 (10) Records, reports and other information received or compiled by the Director of the De-
22 partment of Consumer and Business Services under ORS 697.732.

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24 defined in ORS 358.905, except if the governing body of an Indian tribe requests the information and
25 the need for the information is related to that Indian tribe's cultural or religious activities. This
26 exemption does not include information relating to a site that is all or part of an existing, commonly
27 known and publicized tourist facility or attraction.

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29 (13) Information developed pursuant to ORS 496.004, 496.172 and 498.026 or ORS 496.192 and
30 564.100, regarding the habitat, location or population of any threatened species or endangered spe-
31 cies.

32 (14) Writings prepared by or under the direction of faculty of public educational institutions, in
33 connection with research, until publicly released, copyrighted or patented.

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35 used in this subsection, "computer program" means a series of instructions or statements which
36 permit the functioning of a computer system in a manner designed to provide storage, retrieval and
37 manipulation of data from such computer system, and any associated documentation and source
38 material that explain how to operate the computer program. "Computer program" does not include:

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40 (b) Analyses, compilations and other manipulated forms of the original data produced by use of
41 the program; or

42 (c) The mathematical and statistical formulas which would be used if the manipulated forms of
43 the original data were to be produced manually.

44 (16) Data and information provided by participants to mediation under ORS 36.256.

45 (17) Investigatory information relating to any complaint or charge filed under ORS chapter 654,

1 until a final administrative determination is made or, if a citation is issued, until an employer re-
2 ceives notice of any citation.

3 (18) Specific operational plans in connection with an anticipated threat to individual or public
4 safety for deployment and use of personnel and equipment, prepared or used by a public body, if
5 public disclosure of the plans would endanger an individual's life or physical safety or jeopardize a
6 law enforcement activity.

7 (19)(a) Audits or audit reports required of a telecommunications carrier. As used in this para-
8 graph, "audit or audit report" means any external or internal audit or audit report pertaining to a
9 telecommunications carrier, as defined in ORS 133.721, or pertaining to a corporation having an af-
10 filiated interest, as defined in ORS 759.390, with a telecommunications carrier that is intended to
11 make the operations of the entity more efficient, accurate or compliant with applicable rules, pro-
12 cedures or standards, that may include self-criticism and that has been filed by the telecommuni-
13 cations carrier or affiliate under compulsion of state law. "Audit or audit report" does not mean an
14 audit of a cost study that would be discoverable in a contested case proceeding and that is not
15 subject to a protective order; and

16 (b) Financial statements. As used in this paragraph, "financial statement" means a financial
17 statement of a nonregulated corporation having an affiliated interest, as defined in ORS 759.390,
18 with a telecommunications carrier, as defined in ORS 133.721.

19 (20) The residence address of an elector if authorized under ORS 247.965 and subject to ORS
20 247.967.

21 (21) The following records, communications and information submitted to a housing authority
22 as defined in ORS 456.005, or to an urban renewal agency as defined in ORS 457.010, by applicants
23 for and recipients of loans, grants and tax credits:

- 24 (a) Personal and corporate financial statements and information, including tax returns;
- 25 (b) Credit reports;
- 26 (c) Project appraisals;
- 27 (d) Market studies and analyses;
- 28 (e) Articles of incorporation, partnership agreements and operating agreements;
- 29 (f) Commitment letters;
- 30 (g) Project pro forma statements;
- 31 (h) Project cost certifications and cost data;
- 32 (i) Audits;
- 33 (j) Project tenant correspondence requested to be confidential;
- 34 (k) Tenant files relating to certification; and
- 35 (L) Housing assistance payment requests.

36 (22) Records or information that, if disclosed, would allow a person to:

- 37 (a) Gain unauthorized access to buildings or other property;
- 38 (b) Identify those areas of structural or operational vulnerability that would permit unlawful
39 disruption to, or interference with, services; or
- 40 (c) Disrupt, interfere with or gain unauthorized access to public funds or to information pro-
41 cessing, communication or telecommunication systems, including the information contained in the
42 systems, that are used or operated by a public body.

43 (23) Records or information that would reveal or otherwise identify security measures, or
44 weaknesses or potential weaknesses in security measures, taken or recommended to be taken to
45 protect:

1 (a) An individual;

2 (b) Buildings or other property;

3 (c) Information processing, communication or telecommunication systems, including the infor-
4 mation contained in the systems; or

5 (d) Those operations of the Oregon State Lottery the security of which are subject to study and
6 evaluation under ORS 461.180 (6).

7 (24) Personal information held by or under the direction of officials of the Oregon Health and
8 Science University or the Oregon University System about a person who has or who is interested
9 in donating money or property to the university, the system or a state institution of higher educa-
10 tion, if the information is related to the family of the person, personal assets of the person or is
11 incidental information not related to the donation.

12 (25) The home address, professional address and telephone number of a person who has or who
13 is interested in donating money or property to the Oregon University System.

14 (26) Records of the name and address of a person who files a report with or pays an assessment
15 to a commodity commission established under ORS 576.051 to 576.455, the Oregon Beef Council
16 created under ORS 577.210 or the Oregon Wheat Commission created under ORS 578.030.

17 (27) Information provided to, obtained by or used by a public body to authorize, originate, re-
18 ceive or authenticate a transfer of funds, including but not limited to a credit card number, payment
19 card expiration date, password, financial institution account number and financial institution routing
20 number.

21 (28) Social Security numbers as provided in ORS 107.840.

22 (29) The electronic mail address of a student who attends a state institution of higher education
23 listed in ORS 352.002 or Oregon Health and Science University.

24 [(30)(a) *If requested by a public safety officer, as defined in ORS 181.610, by a district attorney,*
25 *by a deputy district attorney or by an assistant attorney general designated by the Attorney General,*
26 *the home address and home telephone number of the public safety officer or attorney contained in the*
27 *voter registration records for the public safety officer or attorney.*]

28 [(b) *If requested by a public safety officer, as defined in ORS 181.610, the home address and home*
29 *telephone number of the public safety officer contained in records of the Department of Public Safety*
30 *Standards and Training.*]

31 [(31) *If requested by a public safety officer, as defined in ORS 181.610, by a district attorney, by*
32 *a deputy district attorney or by an assistant attorney general designated by the Attorney General, the*
33 *name of the public safety officer or attorney contained in county real property assessment or taxation*
34 *records. This exemption.*]

35 [(a) *Applies only to the name of the public safety officer or attorney and any other owner of the*
36 *property in connection with a specific property identified by the officer or attorney in a request for ex-*
37 *emption from disclosure.*]

38 [(b) *Applies only to records that may be made immediately available to the public upon request in*
39 *person, by telephone or using the Internet.*]

40 [(c) *Applies until the public safety officer or attorney requests termination of the exemption.*]

41 [(d) *Does not apply to disclosure of records among public bodies as defined in ORS 174.109 for*
42 *governmental purposes; and*]

43 [(e) *May not result in liability for a county if the name of a public safety officer or attorney is*
44 *disclosed after a request for exemption from disclosure is made under this subsection.*]

45 **(30) If requested by a public safety officer, as defined in ORS 181.610:**

1 (a) The home address and home telephone number of the public safety officer contained
2 in the voter registration records for the public safety officer.

3 (b) The home address and home telephone number of the public safety officer contained
4 in records of the Department of Public Safety Standards and Training.

5 (c) The name of the public safety officer contained in county real property assessment
6 or taxation records. This exemption:

7 (A) Applies only to the name of the public safety officer and any other owner of the
8 property in connection with a specific property identified by the officer in a request for ex-
9 emption from disclosure;

10 (B) Applies only to records that may be made immediately available to the public upon
11 request in person, by telephone or using the Internet;

12 (C) Applies until the public safety officer requests termination of the exemption;

13 (D) Does not apply to disclosure of records among public bodies as defined in ORS 174.109
14 for governmental purposes; and

15 (E) May not result in liability for the county if the name of the public safety officer is
16 disclosed after a request for exemption from disclosure is made under this subsection.

17 (31) Unless the public records request is made by a financial institution, as defined in
18 ORS 706.008, consumer finance company licensed under ORS chapter 725, mortgage banker
19 or mortgage broker licensed under ORS chapter 59, or title company for business purposes,
20 records described in paragraph (a) of this subsection, if the exemption from disclosure of the
21 records is sought by an individual described in paragraph (b) of this subsection using the
22 procedure described in paragraph (c) of this subsection:

23 (a) The home address, home or cellular telephone number or personal electronic mail
24 address contained in the records of any public body that has received the request that is set
25 forth in:

26 (A) A warranty deed, deed of trust, mortgage, lien, deed of reconveyance, release, satis-
27 faction, substitution of trustee, easement, dog license, marriage license or military discharge
28 record that is in the possession of the county clerk; or

29 (B) Any public record of a public body other than the county clerk.

30 (b) The individual claiming the exemption from disclosure must be a district attorney, a
31 deputy district attorney, the Attorney General or an assistant attorney general, the United
32 States Attorney for the District of Oregon or an assistant United States attorney for the
33 District of Oregon, a city attorney who engages in the prosecution of criminal matters or a
34 deputy city attorney who engages in the prosecution of criminal matters.

35 (c) The individual claiming the exemption from disclosure must do so by filing the claim
36 in writing with the public body for which the exemption from disclosure is being claimed on
37 a form prescribed by the public body. Unless the claim is filed with the county clerk, the
38 claim form shall list the public records in the possession of the public body to which the
39 exemption applies. The exemption applies until the individual claiming the exemption re-
40 quests termination of the exemption or ceases to qualify for the exemption.

41 (32) Land management plans required for voluntary stewardship agreements entered into under
42 ORS 541.423.

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