

HOUSE AMENDMENTS TO HOUSE BILL 2244

By COMMITTEE ON GENERAL GOVERNMENT AND CONSUMER PROTECTION

April 18

- 1 On page 1 of the printed bill, line 2, after “ORS” insert “192.005,”.
2 Delete lines 18 through 24.
3 After line 26, insert:
4 “(4) ‘Public record’:
5 “(a) Means any information that:
6 “(A) Exists in any form capable of retention by a custodian;
7 “(B) Is prepared, owned, used or retained by a public body; and
8 “(C) Relates to an activity, transaction or function of a public body; and
9 “(b) Does not include:
10 “(A) A record that has been destroyed in conformity with the applicable retention period es-
11 tablished by the State Archivist under ORS 192.105, without regard to whether the record could be
12 recovered by the public body; or
13 “(B) Electronic metadata.”.
14 On page 11, after line 29, insert:
15 “**SECTION 7.** ORS 192.005 is amended to read:
16 “192.005. As used in ORS 192.005 to 192.170, unless the context requires otherwise:
17 “(1) ‘Archivist’ means the State Archivist.
18 “(2) ‘Photocopy’ includes a photograph, microphotograph and any other reproduction on paper
19 or film in any scale.
20 “(3) ‘Photocopying’ means the process of reproducing, in the form of a photocopy, a public re-
21 cord or writing.
22 “(4) ‘Political subdivision’ means a city, county, district or any other municipal or public cor-
23 poration in this state.
24 “(5) ‘Public record’ [*includes, but is not limited to, a document, book, paper, photograph, file, sound*
25 *recording or machine readable electronic record, regardless of physical form or characteristics, made,*
26 *received, filed or recorded in pursuance of law or in connection with the transaction of public business,*
27 *whether or not confidential or restricted in use. ‘Public record’*]:
28 “(a) **Means any information that:**
29 “(A) **Exists in any form capable of retention by a custodian;**
30 “(B) **Is prepared, owned, used or retained by a public body;**
31 “(C) **Relates to an activity, transaction or function of a public body; and**
32 “(D) **Is necessary to satisfy the fiscal, legal, administrative or historical policies, re-**
33 **quirements or needs of the public body.**
34 “(b) Does not include:
35 “[*a*] (A) Records of the Legislative Assembly, its committees, officers and employees.

1 “[(b)] **(B)** Library and museum materials made or acquired and preserved solely for reference
2 or exhibition purposes.
3 “[(c)] **(C)** Records or information concerning the location of archaeological sites or objects as
4 those terms are defined in ORS 358.905.
5 “[(d)] **(D)** Extra copies of a document, preserved only for convenience of reference.
6 “[(e)] **(E)** A stock of publications.
7 “[(f)] **(F)** Messages on voice mail or on other telephone message storage and retrieval systems.
8 **“(G) Records of the Judicial Department or its officers and employees.**
9 “(6) ‘State agency’:
10 **“(a)** Means any state officer, department, board[,] **or** commission [*or court*] created by the Con-
11 stitution or statutes of this state. [*However, ‘state agency’*]
12 **“(b)** Does not include:
13 **“(A)** The Legislative Assembly or its committees, officers and employees; **or**
14 **“(B) The Judicial Department or its officers and employees.”.**

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