

**REVENUE:** No revenue impact

**FISCAL:** Minimal fiscal impact, no statement issued

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<b>Action:</b>	Do Pass as Amended and Be Printed Engrossed
<b>Vote:</b>	8 - 0 - 1
<b>Yeas:</b>	Barnhart, Berger, Dembrow, Hicks, Holvey, Jenson, Kennemer, Garrett
<b>Nays:</b>	0
<b>Exc.:</b>	Hoyle
<b>Prepared By:</b>	Erin Seiler, Administrator
<b>Meeting Dates:</b>	4/8, 5/22

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**WHAT THE MEASURE DOES:** Exempts electronic mail addresses in possession or custody of executive department, local government or local service district, or special government body from required disclosure under public records law. Exemption does not apply to email address assigned by public body to public employee for use by employee in course of employment.

**ISSUES DISCUSSED:**

- Reasons that agency, board, or commission has public email address
- Public knowing that their email address is subject to disclosure
- Difference between state issued email addresses and private email addresses provided to agency
- Application to local governments
- Possible amendments
- Intention of measure
- Absolute protection from disclosure versus balancing test of disclosure

**EFFECT OF COMMITTEE AMENDMENT:** Adds to exemption those electronic mail addresses in possession or custody of local government or local service district, or special government body from required disclosure under public records law. Clarifies that exemption does not apply to email address assigned by public body to public employee for use by employee in course of employment.

**BACKGROUND:** Currently, an individual may file a public records request with numerous agencies, boards, and commissions, including the Oregon Health Authority, the Oregon Department of Education, and Department of Administrative Services for the email addresses that the agency is in possession of. The email addresses that could be disclosed include those addresses of employees, clients, stakeholders, newsletter subscribers, and vendors.

An agency, board, or commission is required to disclose the email addresses of individuals who have provided an email for reasons including applying for benefits, submitting an application for a job, or to receive reports or newsletters.

House Bill 3294-A would exempt from public disclosure a personal email address provided to a state agency, commission or board, local government or local service district, or special government by a public employee.