

Senate Bill 765

Sponsored by Senator FERRIOLI, Representative HUFFMAN

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 **as introduced**.

Requires recipients of public funds for purpose of conducting housing discrimination audit testing to furnish audit testing records upon request. Establishes record retention schedule and applies public records law to housing discrimination audit testing records. Imposes criminal penalty for tampering with housing discrimination audit testing records.

A BILL FOR AN ACT

1
2 Relating to housing discrimination audit testing records.

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

4 **SECTION 1. (1) As a condition of the receipt of public funds for the purpose of conducting**
5 **housing discrimination audit testing, a recipient shall:**

6 (a) **Furnish to a requester all records relating to the conduct of housing discrimination**
7 **audit testing, including but not limited to original test narratives, records obtained by per-**
8 **sons conducting housing discrimination audit testing, preliminary notes and work product**
9 **and other records that support or refute conclusions made in housing discrimination audits.**

10 (b) **Retain records described in paragraph (a) of this subsection that pertain to a partic-**
11 **ular housing discrimination audit for a period of at least two years following the date that**
12 **the housing discrimination audit testing was performed or the date that auditors disclosed**
13 **a finding with respect to the housing discrimination audit, whichever is later.**

14 (c) **Retain records described in paragraph (a) of this subsection that are unrelated to a**
15 **particular housing discrimination audit for a period of at least two years following the date**
16 **the records were prepared, owned, used or retained by the recipient.**

17 (d) **Retain records described in paragraph (a) of this subsection that are responsive to a**
18 **request made of the recipient until there has been a final disposition of the request, even if**
19 **the records would otherwise not need to be retained under paragraph (b) or (c) of this sub-**
20 **section.**

21 (2) **ORS 192.410 to 192.505 apply to a recipient described in subsection (1) of this section,**
22 **except that the recipient may not charge fees for furnishing copies of requested records or**
23 **permitting a requester to inspect requested records. The recipient may elect to furnish**
24 **copies of records to a requester or permit the requester to inspect the records.**

25 (3) **ORS 162.305 applies to the destruction, mutilation, concealment, removal or false al-**
26 **teration of records described in this section.**

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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.