

**PROPOSED AMENDMENTS TO
SENATE BILL 1522**

1 On page 1 of the printed bill, line 2, after “cameras” insert “; creating
2 new provisions; and amending ORS 192.501”.

3 In line 4, delete “6” and insert “5”.

4 On page 2, line 7, delete “retain” and insert “use”.

5 In line 15, after “System” insert “maintained by the Department of State
6 Police or another, equivalent system maintained by another state”.

7 In line 17, delete “and”.

8 In line 18, delete the period and insert “; and

9 “(f) The databases of law enforcement agencies that identify vehicles used
10 to facilitate the commission of a crime or to avoid apprehension for com-
11 mission of a crime.”.

12 In line 24, after “plate data” insert “and any backup or copies of the
13 data”.

14 In line 27, delete “within 14” and insert “and any backup or copies of the
15 data within 21”.

16 In line 35, delete “not” and delete “exceeding 30” and insert “, beginning
17 on the date the order is issued, not to exceed 180”.

18 In line 37, delete “or (e)” and insert “, (e) or (f)”.

19 In line 42, delete “30 days” and insert “180 days, beginning on the date
20 the extension is granted”.

21 Delete lines 43 through 45.

22 On page 3, delete lines 1 and 2 and insert:

1 “(4) Captured plate data, and any backup or copies of the data, retained
2 under subsection (2) of this section must be destroyed at the earlier of:

3 “(a) The expiration of a court order obtained under subsection (2)(a) of
4 this section;

5 “(b) The conclusion of an investigation that does not result in criminal
6 charges being filed; or

7 “(c) The resolution of criminal charges through state and federal appel-
8 late and post-conviction review of any criminal proceeding undertaken in a
9 matter involving the captured plate data.”.

10 After line 13, insert:

11 “(7) Notwithstanding subsection (2)(a)(D) or (3) of this section, and upon
12 a showing that an exceptional circumstance requires it, a court may grant
13 a law enforcement agency an initial or extension period that exceeds 180
14 days to retain captured plate data and any backup or copies of the data.”.

15 In line 16, delete “conspicuously”.

16 In line 19, delete “conspicuously”.

17 In line 21, delete “conspicuous”.

18 Delete lines 42 through 45.

19 On page 4, delete lines 1 through 6 and insert:

20 “**SECTION 6.** ORS 192.501 is amended to read:

21 “192.501. The following public records are exempt from disclosure under
22 ORS 192.410 to 192.505 unless the public interest requires disclosure in the
23 particular instance:

24 “(1) Records of a public body pertaining to litigation to which the public
25 body is a party if the complaint has been filed, or if the complaint has not
26 been filed, if the public body shows that such litigation is reasonably likely
27 to occur. This exemption does not apply to litigation which has been con-
28 cluded, and nothing in this subsection shall limit any right or opportunity
29 granted by discovery or deposition statutes to a party to litigation or po-
30 tential litigation.

1 “(2) Trade secrets. ‘Trade secrets,’ as used in this section, may include,
2 but are not limited to, any formula, plan, pattern, process, tool, mechanism,
3 compound, procedure, production data, or compilation of information which
4 is not patented, which is known only to certain individuals within an or-
5 ganization and which is used in a business it conducts, having actual or
6 potential commercial value, and which gives its user an opportunity to ob-
7 tain a business advantage over competitors who do not know or use it.

8 “(3) Investigatory information compiled for criminal law purposes. The
9 record of an arrest or the report of a crime shall be disclosed unless and only
10 for so long as there is a clear need to delay disclosure in the course of a
11 specific investigation, including the need to protect the complaining party
12 or the victim. Nothing in this subsection shall limit any right constitu-
13 tionally guaranteed, or granted by statute, to disclosure or discovery in
14 criminal cases. For purposes of this subsection, the record of an arrest or the
15 report of a crime includes, but is not limited to:

16 “(a) The arrested person’s name, age, residence, employment, marital sta-
17 tus and similar biographical information;

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

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

20 “(d) The identity of and biographical information concerning both com-
21 plaining party and victim;

22 “(e) The identity of the investigating and arresting agency and the length
23 of the investigation;

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

26 “(g) Such information as may be necessary to enlist public assistance in
27 apprehending fugitives from justice.

28 “(4) Test questions, scoring keys, and other data used to administer a li-
29 censing examination, employment, academic or other examination or testing
30 procedure before the examination is given and if the examination is to be

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

5 “(5) Information consisting of production records, sale or purchase records
6 or catch records, or similar business records of a private concern or enter-
7 prise, required by law to be submitted to or inspected by a governmental
8 body to allow it to determine fees or assessments payable or to establish
9 production quotas, and the amounts of such fees or assessments payable or
10 paid, to the extent that such information is in a form which would permit
11 identification of the individual concern or enterprise. This exemption does
12 not include records submitted by long term care facilities as defined in ORS
13 442.015 to the state for purposes of reimbursement of expenses or determining
14 fees for patient care. Nothing in this subsection shall limit the use which
15 can be made of such information for regulatory purposes or its admissibility
16 in any enforcement proceeding.

17 “(6) Information relating to the appraisal of real estate prior to its ac-
18 quisition.

19 “(7) The names and signatures of employees who sign authorization cards
20 or petitions for the purpose of requesting representation or decertification
21 elections.

22 “(8) Investigatory information relating to any complaint filed under ORS
23 659A.820 or 659A.825, until such time as the complaint is resolved under ORS
24 659A.835, or a final order is issued under ORS 659A.850.

25 “(9) Investigatory information relating to any complaint or charge filed
26 under ORS 243.676 and 663.180.

27 “(10) Records, reports and other information received or compiled by the
28 Director of the Department of Consumer and Business Services under ORS
29 697.732.

30 “(11) Information concerning the location of archaeological sites or ob-

1 jects as those terms are defined in ORS 358.905, except if the governing body
2 of an Indian tribe requests the information and the need for the information
3 is related to that Indian tribe's cultural or religious activities. This ex-
4 emption does not include information relating to a site that is all or part
5 of an existing, commonly known and publicized tourist facility or attraction.

6 “(12) A personnel discipline action, or materials or documents supporting
7 that action.

8 “(13) Information developed pursuant to ORS 496.004, 496.172 and 498.026
9 or ORS 496.192 and 564.100, regarding the habitat, location or population of
10 any threatened species or endangered species.

11 “(14) Writings prepared by or under the direction of faculty of public ed-
12 ucational institutions, in connection with research, until publicly released,
13 copyrighted or patented.

14 “(15) Computer programs developed or purchased by or for any public
15 body for its own use. As used in this subsection, ‘computer program’ means
16 a series of instructions or statements which permit the functioning of a
17 computer system in a manner designed to provide storage, retrieval and ma-
18 nipulation of data from such computer system, and any associated documen-
19 tation and source material that explain how to operate the computer
20 program. ‘Computer program’ does not include:

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

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

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

27 “(16) Data and information provided by participants to mediation under
28 ORS 36.256.

29 “(17) Investigatory information relating to any complaint or charge filed
30 under ORS chapter 654, until a final administrative determination is made

1 or, if a citation is issued, until an employer receives notice of any citation.

2 “(18) Specific operational plans in connection with an anticipated threat
3 to individual or public safety for deployment and use of personnel and
4 equipment, prepared or used by a public body, if public disclosure of the
5 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.
8 As used in this paragraph, ‘audit or audit report’ means any external or
9 internal audit or audit report pertaining to a telecommunications carrier, as
10 defined in ORS 133.721, or pertaining to a corporation having an affiliated
11 interest, as defined in ORS 759.390, with a telecommunications carrier that
12 is intended to make the operations of the entity more efficient, accurate or
13 compliant with applicable rules, procedures or standards, that may include
14 self-criticism and that has been filed by the telecommunications carrier or
15 affiliate under compulsion of state law. ‘Audit or audit report’ does not mean
16 an audit of a cost study that would be discoverable in a contested case pro-
17 ceeding and that is not subject to a protective order; and

18 “(b) Financial statements. As used in this paragraph, ‘financial
19 statement’ means a financial statement of a nonregulated corporation having
20 an affiliated interest, as defined in ORS 759.390, with a telecommunications
21 carrier, as defined in ORS 133.721.

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

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

28 “(a) Personal and corporate financial statements and information, in-
29 cluding tax returns;

30 “(b) Credit reports;

1 “(c) Project appraisals, excluding appraisals obtained in the course of
2 transactions involving an interest in real estate that is acquired, leased,
3 rented, exchanged, transferred or otherwise disposed of as part of the project,
4 but only after the transactions have closed and are concluded;

5 “(d) Market studies and analyses;

6 “(e) Articles of incorporation, partnership agreements and operating
7 agreements;

8 “(f) Commitment letters;

9 “(g) Project pro forma statements;

10 “(h) Project cost certifications and cost data;

11 “(i) Audits;

12 “(j) Project tenant correspondence requested to be confidential;

13 “(k) Tenant files relating to certification; and

14 “(L) Housing assistance payment requests.

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

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

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

19 “(c) Disrupt, interfere with or gain unauthorized access to public funds
20 or to information processing, communication or telecommunication systems,
21 including the information contained in the systems, that are used or operated
22 by a public body.

23 “(23) Records or information that would reveal or otherwise identify se-
24 curity measures, or weaknesses or potential weaknesses in security measures,
25 taken or recommended to be taken to protect:

26 “(a) An individual;

27 “(b) Buildings or other property;

28 “(c) Information processing, communication or telecommunication sys-
29 tems, including the information contained in the systems; or

30 “(d) Those operations of the Oregon State Lottery the security of which

1 are subject to study and evaluation under ORS 461.180 (6).

2 “(24) Personal information held by or under the direction of officials of
3 the Oregon Health and Science University, a public university listed in ORS
4 352.002 or the Oregon University System about a person who has or who is
5 interested in donating money or property to the Oregon Health and Science
6 University, the system or a public university, if the information is related
7 to the family of the person, personal assets of the person or is incidental
8 information not related to the donation.

9 “(25) The home address, professional address and telephone number of a
10 person who has or who is interested in donating money or property to the
11 Oregon University System or a public university listed in ORS 352.002.

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

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

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

22 “(29) The electronic mail address of a student who attends a public uni-
23 versity listed in ORS 352.002 or Oregon Health and Science University.

24 “(30) The name, home address, professional address or location of a person
25 that is engaged in, or that provides goods or services for, medical research
26 at Oregon Health and Science University that is conducted using animals
27 other than rodents. This subsection does not apply to Oregon Health and
28 Science University press releases, websites or other publications circulated
29 to the general public.

30 “(31) 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
2 officer contained in the voter registration records for the public safety offi-
3 cer.

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

7 “(c) The name of the public safety officer contained in county real prop-
8 erty assessment or taxation records. This exemption:

9 “(A) Applies only to the name of the public safety officer and any other
10 owner of the property in connection with a specific property identified by the
11 officer in a request for exemption from disclosure;

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

14 “(C) Applies until the public safety officer requests termination of the
15 exemption;

16 “(D) Does not apply to disclosure of records among public bodies as de-
17 fined in ORS 174.109 for governmental purposes; and

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

21 “(32) Unless the public records request is made by a financial institution,
22 as defined in ORS 706.008, consumer finance company licensed under ORS
23 chapter 725, mortgage banker or mortgage broker licensed under ORS
24 86A.095 to 86A.198, or title company for business purposes, records described
25 in paragraph (a) of this subsection, if the exemption from disclosure of the
26 records is sought by an individual described in paragraph (b) of this sub-
27 section using the procedure described in paragraph (c) of this subsection:

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

1 “(A) A warranty deed, deed of trust, mortgage, lien, deed of reconveyance,
2 release, satisfaction, substitution of trustee, easement, dog license, marriage
3 license or military discharge record that is in the possession of the county
4 clerk; or

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

6 “(b) The individual claiming the exemption from disclosure must be a
7 district attorney, a deputy district attorney, the Attorney General or an as-
8 sistant attorney general, the United States Attorney for the District of
9 Oregon or an assistant United States attorney for the District of Oregon, a
10 city attorney who engages in the prosecution of criminal matters or a deputy
11 city attorney who engages in the prosecution of criminal matters.

12 “(c) The individual claiming the exemption from disclosure must do so by
13 filing the claim in writing with the public body for which the exemption from
14 disclosure is being claimed on a form prescribed by the public body. Unless
15 the claim is filed with the county clerk, the claim form shall list the public
16 records in the possession of the public body to which the exemption applies.
17 The exemption applies until the individual claiming the exemption requests
18 termination of the exemption or ceases to qualify for the exemption.

19 “(33) Land management plans required for voluntary stewardship agree-
20 ments entered into under ORS 541.423.

21 “(34) Sensitive business records or financial or commercial information
22 of the State Accident Insurance Fund Corporation that is not customarily
23 provided to business competitors. This exemption does not:

24 “(a) Apply to the formulas for determining dividends to be paid to em-
25 ployers insured by the State Accident Insurance Fund Corporation;

26 “(b) Apply to contracts for advertising, public relations or lobbying ser-
27 vices or to documents related to the formation of such contracts;

28 “(c) Apply to group insurance contracts or to documents relating to the
29 formation of such contracts, except that employer account records shall re-
30 main exempt from disclosure as provided in ORS 192.502 (35); or

1 “(d) Provide the basis for opposing the discovery of documents in liti-
2 gation pursuant to the applicable rules of civil procedure.

3 “(35) Records of the Department of Public Safety Standards and Training
4 relating to investigations conducted under ORS 181.662 or 181.878 (6), until
5 the department issues the report described in ORS 181.662 or 181.878.

6 “(36) A medical examiner’s report, autopsy report or laboratory test report
7 ordered by a medical examiner under ORS 146.117.

8 “(37) Any document or other information related to an audit of a public
9 body, as defined in ORS 174.109, that is in the custody of an auditor or audit
10 organization operating under nationally recognized government auditing
11 standards, until the auditor or audit organization issues a final audit report
12 in accordance with those standards or the audit is abandoned. This ex-
13 emption does not prohibit disclosure of a draft audit report that is provided
14 to the audited entity for the entity’s response to the audit findings.

15 “(38) **Captured plate data, as defined in section 1 of this 2014 Act.**

16 “**SECTION 7.** ORS 192.501, as amended by section 3, chapter 455, Oregon
17 Laws 2005, section 7, chapter 608, Oregon Laws 2007, section 2, chapter 687,
18 Oregon Laws 2007, section 2, chapter 48, Oregon Laws 2008, section 3, chap-
19 ter 57, Oregon Laws 2009, section 2, chapter 135, Oregon Laws 2009, section
20 4, chapter 222, Oregon Laws 2009, section 2, chapter 769, Oregon Laws 2009,
21 section 15, chapter 9, Oregon Laws 2011, section 2, chapter 285, Oregon Laws
22 2011, section 69, chapter 637, Oregon Laws 2011, section 2, chapter 325,
23 Oregon Laws 2013, and section 108, chapter 768, Oregon Laws 2013, is
24 amended to read:

25 “192.501. The following public records are exempt from disclosure under
26 ORS 192.410 to 192.505 unless the public interest requires disclosure in the
27 particular instance:

28 “(1) Records of a public body pertaining to litigation to which the public
29 body is a party if the complaint has been filed, or if the complaint has not
30 been filed, if the public body shows that such litigation is reasonably likely

1 to occur. This exemption does not apply to litigation which has been con-
2 cluded, and nothing in this subsection shall limit any right or opportunity
3 granted by discovery or deposition statutes to a party to litigation or po-
4 tential litigation.

5 “(2) Trade secrets. ‘Trade secrets,’ as used in this section, may include,
6 but are not limited to, any formula, plan, pattern, process, tool, mechanism,
7 compound, procedure, production data, or compilation of information which
8 is not patented, which is known only to certain individuals within an or-
9 ganization and which is used in a business it conducts, having actual or
10 potential commercial value, and which gives its user an opportunity to ob-
11 tain a business advantage over competitors who do not know or use it.

12 “(3) Investigatory information compiled for criminal law purposes. The
13 record of an arrest or the report of a crime shall be disclosed unless and only
14 for so long as there is a clear need to delay disclosure in the course of a
15 specific investigation, including the need to protect the complaining party
16 or the victim. Nothing in this subsection shall limit any right constitu-
17 tionally guaranteed, or granted by statute, to disclosure or discovery in
18 criminal cases. For purposes of this subsection, the record of an arrest or the
19 report of a crime includes, but is not limited to:

20 “(a) The arrested person’s name, age, residence, employment, marital sta-
21 tus and similar biographical information;

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

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

24 “(d) The identity of and biographical information concerning both com-
25 plaining party and victim;

26 “(e) The identity of the investigating and arresting agency and the length
27 of the investigation;

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

30 “(g) Such information as may be necessary to enlist public assistance in

1 apprehending fugitives from justice.

2 “(4) Test questions, scoring keys, and other data used to administer a li-
3 censing examination, employment, academic or other examination or testing
4 procedure before the examination is given and if the examination is to be
5 used again. Records establishing procedures for and instructing persons ad-
6 ministering, grading or evaluating an examination or testing procedure are
7 included in this exemption, to the extent that disclosure would create a risk
8 that the result might be affected.

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

21 “(6) Information relating to the appraisal of real estate prior to its ac-
22 quisition.

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

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

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

1 “(10) Records, reports and other information received or compiled by the
2 Director of the Department of Consumer and Business Services under ORS
3 697.732.

4 “(11) Information concerning the location of archaeological sites or ob-
5 jects as those terms are defined in ORS 358.905, except if the governing body
6 of an Indian tribe requests the information and the need for the information
7 is related to that Indian tribe’s cultural or religious activities. This ex-
8 emption does not include information relating to a site that is all or part
9 of an existing, commonly known and publicized tourist facility or attraction.

10 “(12) A personnel discipline action, or materials or documents supporting
11 that action.

12 “(13) Information developed pursuant to ORS 496.004, 496.172 and 498.026
13 or ORS 496.192 and 564.100, regarding the habitat, location or population of
14 any threatened species or endangered species.

15 “(14) Writings prepared by or under the direction of faculty of public ed-
16 ucational institutions, in connection with research, until publicly released,
17 copyrighted or patented.

18 “(15) Computer programs developed or purchased by or for any public
19 body for its own use. As used in this subsection, ‘computer program’ means
20 a series of instructions or statements which permit the functioning of a
21 computer system in a manner designed to provide storage, retrieval and ma-
22 nipulation of data from such computer system, and any associated documen-
23 tation and source material that explain how to operate the computer
24 program. ‘Computer program’ does not include:

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

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

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

1 “(16) Data and information provided by participants to mediation under
2 ORS 36.256.

3 “(17) Investigatory information relating to any complaint or charge filed
4 under ORS chapter 654, until a final administrative determination is made
5 or, if a citation is issued, until an employer receives notice of any citation.

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

11 “(19)(a) Audits or audit reports required of a telecommunications carrier.
12 As used in this paragraph, ‘audit or audit report’ means any external or
13 internal audit or audit report pertaining to a telecommunications carrier, as
14 defined in ORS 133.721, or pertaining to a corporation having an affiliated
15 interest, as defined in ORS 759.390, with a telecommunications carrier that
16 is intended to make the operations of the entity more efficient, accurate or
17 compliant with applicable rules, procedures or standards, that may include
18 self-criticism and that has been filed by the telecommunications carrier or
19 affiliate under compulsion of state law. ‘Audit or audit report’ does not mean
20 an audit of a cost study that would be discoverable in a contested case pro-
21 ceeding and that is not subject to a protective order; and

22 “(b) Financial statements. As used in this paragraph, ‘financial
23 statement’ means a financial statement of a nonregulated corporation having
24 an affiliated interest, as defined in ORS 759.390, with a telecommunications
25 carrier, as defined in ORS 133.721.

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

28 “(21) The following records, communications and information submitted
29 to a housing authority as defined in ORS 456.005, or to an urban renewal
30 agency as defined in ORS 457.010, by applicants for and recipients of loans,

1 grants and tax credits:

2 “(a) Personal and corporate financial statements and information, in-
3 cluding tax returns;

4 “(b) Credit reports;

5 “(c) Project appraisals, excluding appraisals obtained in the course of
6 transactions involving an interest in real estate that is acquired, leased,
7 rented, exchanged, transferred or otherwise disposed of as part of the project,
8 but only after the transactions have closed and are concluded;

9 “(d) Market studies and analyses;

10 “(e) Articles of incorporation, partnership agreements and operating
11 agreements;

12 “(f) Commitment letters;

13 “(g) Project pro forma statements;

14 “(h) Project cost certifications and cost data;

15 “(i) Audits;

16 “(j) Project tenant correspondence requested to be confidential;

17 “(k) Tenant files relating to certification; and

18 “(L) Housing assistance payment requests.

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

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

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

23 “(c) Disrupt, interfere with or gain unauthorized access to public funds
24 or to information processing, communication or telecommunication systems,
25 including the information contained in the systems, that are used or operated
26 by a public body.

27 “(23) Records or information that would reveal or otherwise identify se-
28 curity measures, or weaknesses or potential weaknesses in security measures,
29 taken or recommended to be taken to protect:

30 “(a) An individual;

1 “(b) Buildings or other property;

2 “(c) Information processing, communication or telecommunication sys-
3 tems, including the information contained in the systems; or

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

6 “(24) Personal information held by or under the direction of officials of
7 the Oregon Health and Science University, a public university listed in ORS
8 352.002 or the Oregon University System about a person who has or who is
9 interested in donating money or property to the Oregon Health and Science
10 University, the system or a public university, if the information is related
11 to the family of the person, personal assets of the person or is incidental
12 information not related to the donation.

13 “(25) The home address, professional address and telephone number of a
14 person who has or who is interested in donating money or property to the
15 Oregon University System or a public university listed in ORS 352.002.

16 “(26) Records of the name and address of a person who files a report with
17 or pays an assessment to a commodity commission established under ORS
18 576.051 to 576.455, the Oregon Beef Council created under ORS 577.210 or the
19 Oregon Wheat Commission created under ORS 578.030.

20 “(27) Information provided to, obtained by or used by a public body to
21 authorize, originate, receive or authenticate a transfer of funds, including
22 but not limited to a credit card number, payment card expiration date,
23 password, financial institution account number and financial institution
24 routing number.

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

26 “(29) The electronic mail address of a student who attends a public uni-
27 versity listed in ORS 352.002 or Oregon Health and Science University.

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

29 “(a) The home address and home telephone number of the public safety
30 officer contained in the voter registration records for the public safety offi-

1 cer.

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

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

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

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

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

14 “(D) Does not apply to disclosure of records among public bodies as de-
15 fined in ORS 174.109 for governmental purposes; and

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

19 “(31) Unless the public records request is made by a financial institution,
20 as defined in ORS 706.008, consumer finance company licensed under ORS
21 chapter 725, mortgage banker or mortgage broker licensed under ORS
22 86A.095 to 86A.198, or title company for business purposes, records described
23 in paragraph (a) of this subsection, if the exemption from disclosure of the
24 records is sought by an individual described in paragraph (b) of this sub-
25 section using the procedure described in paragraph (c) of this subsection:

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

29 “(A) A warranty deed, deed of trust, mortgage, lien, deed of reconveyance,
30 release, satisfaction, substitution of trustee, easement, dog license, marriage

1 license or military discharge record that is in the possession of the county
2 clerk; or

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

4 “(b) The individual claiming the exemption from disclosure must be a
5 district attorney, a deputy district attorney, the Attorney General or an as-
6 sistant attorney general, the United States Attorney for the District of
7 Oregon or an assistant United States attorney for the District of Oregon, a
8 city attorney who engages in the prosecution of criminal matters or a deputy
9 city attorney who engages in the prosecution of criminal matters.

10 “(c) The individual claiming the exemption from disclosure must do so by
11 filing the claim in writing with the public body for which the exemption from
12 disclosure is being claimed on a form prescribed by the public body. Unless
13 the claim is filed with the county clerk, the claim form shall list the public
14 records in the possession of the public body to which the exemption applies.
15 The exemption applies until the individual claiming the exemption requests
16 termination of the exemption or ceases to qualify for the exemption.

17 “(32) Land management plans required for voluntary stewardship agree-
18 ments entered into under ORS 541.423.

19 “(33) Sensitive business records or financial or commercial information
20 of the State Accident Insurance Fund Corporation that is not customarily
21 provided to business competitors. This exemption does not:

22 “(a) Apply to the formulas for determining dividends to be paid to em-
23 ployers insured by the State Accident Insurance Fund Corporation;

24 “(b) Apply to contracts for advertising, public relations or lobbying ser-
25 vices or to documents related to the formation of such contracts;

26 “(c) Apply to group insurance contracts or to documents relating to the
27 formation of such contracts, except that employer account records shall re-
28 main exempt from disclosure as provided in ORS 192.502 (35); or

29 “(d) Provide the basis for opposing the discovery of documents in liti-
30 gation pursuant to the applicable rules of civil procedure.

1 “(34) Records of the Department of Public Safety Standards and Training
2 relating to investigations conducted under ORS 181.662 or 181.878 (6), until
3 the department issues the report described in ORS 181.662 or 181.878.

4 “(35) A medical examiner’s report, autopsy report or laboratory test report
5 ordered by a medical examiner under ORS 146.117.

6 “(36) Any document or other information related to an audit of a public
7 body, as defined in ORS 174.109, that is in the custody of an auditor or audit
8 organization operating under nationally recognized government auditing
9 standards, until the auditor or audit organization issues a final audit report
10 in accordance with those standards or the audit is abandoned. This ex-
11 emption does not prohibit disclosure of a draft audit report that is provided
12 to the audited entity for the entity’s response to the audit findings.

13 **“(37) Captured plate data, as defined in section 1 of this 2014 Act.”.**

14 In line 7, delete “7” and insert “8”.

15
