

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action:

Vote:

Yeas:

Nays:

Exc.:

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Meeting Dates: 3/2, 3/23, 3/30

WHAT THE MEASURE DOES: Adds civil code enforcement officers to public officials who may request exemption from required disclosure under public records law of specified personal information. Defines “civil code enforcement officer.”

ISSUES DISCUSSED:

- Type of work that civil code enforcement officers
- Risks associated with employment of civil code enforcement officers
- Safety concerns and retaliatory actions taken against civil code enforcement officers
- Scope of exemption
- Process and timeline for requesting records from Department of Motor Vehicles
- Differences in work of law enforcement officers and civil code enforcement officers
- Number of current public officials who have public records exemptions

EFFECT OF COMMITTEE AMENDMENT:

-1 amendment (*adopted 3/23/2015*): Removes Department of Public Safety Standards and Training or another state agency from entities exempt from required disclosure. Adds civil code enforcement officers to list of public employees, who may request that any driver or vehicle record kept by Oregon Department of Transportation (ODOT) containing or required to contain eligible employee’s residence address, contain instead address of public agency employing eligible employee. ODOT shall remove employee’s residence address from its records. Permits employee to substitute address of public agency employing eligible employee on any driver or vehicle form issued by ODOT that requires address.

BACKGROUND: Oregon’s Public Records and Public Meetings Laws (ORS 192.410 to 192.505) were established in 1973 in order to permit the public to request and review information about government operations and activities. A public record includes: any writing that contains information relating to the conduct of the public’s business, including but not limited to court records, mortgages, and deed records, prepared, owned, used or retained by a public body regardless of physical form or characteristics. The law applies to every "public body," which includes every state officer, agency, department, bureau, board and commission; every county and city governing body, school district, special district, municipal corporation or any board, department, commission, council or agency.

The Public Records and Public Meetings Laws objective is to inform the public about government functions but not open citizens’ private lives, to the public. Subsequently, the Oregon Legislature has established exemptions for certain records from disclosure, with many of the exemptions requiring a balancing of privacy rights, governmental interests, and other confidentiality policies, on the one hand, and the public interest in disclosure on the other.

House Bill 2208 permits a civil code enforcement officer to request exemption from required disclosure of home address and home telephone number contained in the voter registration records; records of the Department of Public Safety Standards and Training or another state agency; or county real property assessment or taxation records. The measure would define “civil code enforcement officer” as an employee of a public body, who is charged with

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This summary has not been adopted or officially endorsed by action of the committee.

enforcing laws or ordinances relating to land use, zoning, use of rights-of-way, solid waste, hazardous waste, sewage treatment and disposal, the state building code or local building codes.