

Fiscal: Has minimal fiscal impact

Revenue: No Revenue Impact

Action Date: 03/30/15

Action: Do Pass As Amended And Be Printed Engrossed.

Meeting Dates: 03/02, 03/23, 03/30

Vote:

Yeas: 7 - Barnhart, Gilliam, Hoyle, Nosse, Rayfield, Smith Warner, Wilson

Exc: 2 - Kennemer, McLane

Prepared By: Erin Seiler, Committee Administrator

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." Permits civil code enforcement officers to request that any driver or vehicle record kept by Oregon Department of Transportation (ODOT) containing, or is required to contain, eligible employee's residence address, contain instead address of public agency employing eligible public employee.

ISSUES DISCUSSED:

- Type of work that civil code enforcement officers perform
- 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:

Permits civil code enforcement officers to request that any driver or vehicle record kept by Oregon Department of Transportation (ODOT) containing, or is required to contain, eligible employee's residence address, contain instead address of public agency employing eligible public 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.

House Bill 2208-A permits a civil code enforcement officer to request exemption from required disclosure of home address and home telephone number contained in the voter registration record and county real property assessment or taxation records. The measure defines "civil code enforcement officer" as an employee of a public body, who is charged with 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.

In addition, the measure allows a civil code enforcement officer to request that any driver or vehicle record kept by Oregon Department of Transportation (ODOT) that contains, or is required to contain, eligible employee's residence address, contain instead address of public agency employing eligible public employee.