

A-Engrossed
House Bill 2208

Ordered by the House March 31
Including House Amendments dated March 31

Sponsored by Representative MCKEOWN; Representatives DAVIS, FREDERICK, GOMBERG, HOYLE, KENNEMER, LIVELY, NOSSE (Presession filed.)

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.

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."

A BILL FOR AN ACT

1
2 Relating to the disclosure of personal information; amending ORS 192.501, 312.030 and 802.250.

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

4 **SECTION 1.** ORS 192.501, as amended by section 1, chapter 37, Oregon Laws 2014, and section
5 1, chapter 64, Oregon Laws 2014, is amended to read:

6 192.501. The following public records are exempt from disclosure under ORS 192.410 to 192.505
7 unless the public interest requires disclosure in the particular instance:

8 (1) Records of a public body pertaining to litigation to which the public body is a party if the
9 complaint has been filed, or if the complaint has not been filed, if the public body shows that such
10 litigation is reasonably likely to occur. This exemption does not apply to litigation which has been
11 concluded, and nothing in this subsection shall limit any right or opportunity granted by discovery
12 or deposition statutes to a party to litigation or potential litigation.

13 (2) Trade secrets. "Trade secrets," as used in this section, may include, but are not limited to,
14 any formula, plan, pattern, process, tool, mechanism, compound, procedure, production data, or
15 compilation of information which is not patented, which is known only to certain individuals within
16 an organization and which is used in a business it conducts, having actual or potential commercial
17 value, and which gives its user an opportunity to obtain a business advantage over competitors who
18 do not know or use it.

19 (3) Investigatory information compiled for criminal law purposes. The record of an arrest or the
20 report of a crime shall be disclosed unless and only for so long as there is a clear need to delay
21 disclosure in the course of a specific investigation, including the need to protect the complaining
22 party or the victim. Nothing in this subsection shall limit any right constitutionally guaranteed, or
23 granted by statute, to disclosure or discovery in criminal cases. For purposes of this subsection, the
24 record of an arrest or the report of a crime includes, but is not limited to:

25 (a) The arrested person's name, age, residence, employment, marital status and similar bi-
26 ographical information;

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

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.

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

2 (d) The identity of and biographical information concerning both complaining party and victim;

3 (e) The identity of the investigating and arresting agency and the length of the investigation;

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

5 (g) Such information as may be necessary to enlist public assistance in apprehending fugitives
6 from justice.

7 (4) Test questions, scoring keys, and other data used to administer a licensing examination,
8 employment, academic or other examination or testing procedure before the examination is given
9 and if the examination is to be used again. Records establishing procedures for and instructing
10 persons administering, grading or evaluating an examination or testing procedure are included in
11 this exemption, to the extent that disclosure would create a risk that the result might be affected.

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

21 (6) Information relating to the appraisal of real estate prior to its acquisition.

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

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

27 (9) Investigatory information relating to any complaint or charge filed under ORS 243.676 and
28 663.180.

29 (10) Records, reports and other information received or compiled by the Director of the De-
30 partment of Consumer and Business Services under ORS 697.732.

31 (11) Information concerning the location of archaeological sites or objects as those terms are
32 defined in ORS 358.905, except if the governing body of an Indian tribe requests the information and
33 the need for the information is related to that Indian tribe's cultural or religious activities. This
34 exemption does not include information relating to a site that is all or part of an existing, commonly
35 known and publicized tourist facility or attraction.

36 (12) A personnel discipline action, or materials or documents supporting that action.

37 (13) Information developed pursuant to ORS 496.004, 496.172 and 498.026 or ORS 496.192 and
38 564.100, regarding the habitat, location or population of any threatened species or endangered spe-
39 cies.

40 (14) Writings prepared by or under the direction of faculty of public educational institutions, in
41 connection with research, until publicly released, copyrighted or patented.

42 (15) Computer programs developed or purchased by or for any public body for its own use. As
43 used in this subsection, "computer program" means a series of instructions or statements which
44 permit the functioning of a computer system in a manner designed to provide storage, retrieval and
45 manipulation of data from such computer system, and any associated documentation and source

1 material that explain how to operate the computer program. "Computer program" does not include:

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

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

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

7 (16) Data and information provided by participants to mediation under ORS 36.256.

8 (17) Investigatory information relating to any complaint or charge filed under ORS chapter 654,
9 until a final administrative determination is made or, if a citation is issued, until an employer re-
10 ceives notice of any citation.

11 (18) Specific operational plans in connection with an anticipated threat to individual or public
12 safety for deployment and use of personnel and equipment, prepared or used by a public body, if
13 public disclosure of the plans would endanger an individual's life or physical safety or jeopardize a
14 law enforcement activity.

15 (19)(a) Audits or audit reports required of a telecommunications carrier. As used in this para-
16 graph, "audit or audit report" means any external or internal audit or audit report pertaining to a
17 telecommunications carrier, as defined in ORS 133.721, or pertaining to a corporation having an af-
18 filiated interest, as defined in ORS 759.390, with a telecommunications carrier that is intended to
19 make the operations of the entity more efficient, accurate or compliant with applicable rules, pro-
20 cedures or standards, that may include self-criticism and that has been filed by the telecommuni-
21 cations carrier or affiliate under compulsion of state law. "Audit or audit report" does not mean an
22 audit of a cost study that would be discoverable in a contested case proceeding and that is not
23 subject to a protective order; and

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

27 (20) The residence address of an elector if authorized under ORS 247.965 and subject to ORS
28 247.967.

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

32 (a) Personal and corporate financial statements and information, including tax returns;

33 (b) Credit reports;

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

37 (d) Market studies and analyses;

38 (e) Articles of incorporation, partnership agreements and operating agreements;

39 (f) Commitment letters;

40 (g) Project pro forma statements;

41 (h) Project cost certifications and cost data;

42 (i) Audits;

43 (j) Project tenant correspondence requested to be confidential;

44 (k) Tenant files relating to certification; and

45 (L) Housing assistance payment requests.

- 1 (22) Records or information that, if disclosed, would allow a person to:
- 2 (a) Gain unauthorized access to buildings or other property;
- 3 (b) Identify those areas of structural or operational vulnerability that would permit unlawful
- 4 disruption to, or interference with, services; or
- 5 (c) Disrupt, interfere with or gain unauthorized access to public funds or to information pro-
- 6 cessing, communication or telecommunication systems, including the information contained in the
- 7 systems, that are used or operated by a public body.
- 8 (23) Records or information that would reveal or otherwise identify security measures, or
- 9 weaknesses or potential weaknesses in security measures, taken or recommended to be taken to
- 10 protect:
- 11 (a) An individual;
- 12 (b) Buildings or other property;
- 13 (c) Information processing, communication or telecommunication systems, including the infor-
- 14 mation contained in the systems; or
- 15 (d) Those operations of the Oregon State Lottery the security of which are subject to study and
- 16 evaluation under ORS 461.180 (6).
- 17 (24) Personal information held by or under the direction of officials of the Oregon Health and
- 18 Science University, a public university listed in ORS 352.002 or the Oregon University System about
- 19 a person who has or who is interested in donating money or property to the Oregon Health and
- 20 Science University, the system or a public university, if the information is related to the family of
- 21 the person, personal assets of the person or is incidental information not related to the donation.
- 22 (25) The home address, professional address and telephone number of a person who has or who
- 23 is interested in donating money or property to the Oregon University System or a public university
- 24 listed in ORS 352.002.
- 25 (26) Records of the name and address of a person who files a report with or pays an assessment
- 26 to a commodity commission established under ORS 576.051 to 576.455, the Oregon Beef Council
- 27 created under ORS 577.210 or the Oregon Wheat Commission created under ORS 578.030.
- 28 (27) Information provided to, obtained by or used by a public body to authorize, originate, re-
- 29 ceive or authenticate a transfer of funds, including but not limited to a credit card number, payment
- 30 card expiration date, password, financial institution account number and financial institution routing
- 31 number.
- 32 (28) Social Security numbers as provided in ORS 107.840.
- 33 (29) The electronic mail address of a student who attends a public university listed in ORS
- 34 352.002 or Oregon Health and Science University.
- 35 (30) The name, home address, professional address or location of a person that is engaged in,
- 36 or that provides goods or services for, medical research at Oregon Health and Science University
- 37 that is conducted using animals other than rodents. This subsection does not apply to Oregon Health
- 38 and Science University press releases, websites or other publications circulated to the general pub-
- 39 lic.
- 40 (31) If requested by a public safety officer, as defined in ORS 181.610:
- 41 (a) The home address and home telephone number of the public safety officer contained in the
- 42 voter registration records for the [public safety] officer.
- 43 (b) The home address and home telephone number of the public safety officer contained in re-
- 44 cords of the Department of Public Safety Standards and Training.
- 45 (c) The name of the public safety officer contained in county real property assessment or taxa-

1 tion records. This exemption:

2 (A) Applies only to the name of the public safety officer and any other owner of the property
3 in connection with a specific property identified by the officer in a request for exemption from dis-
4 closure;

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

7 (C) Applies until the public safety officer requests termination of the exemption;

8 (D) Does not apply to disclosure of records among public bodies as defined in ORS 174.109 for
9 governmental purposes; and

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

12 (32) Unless the public records request is made by a financial institution, as defined in ORS
13 706.008, consumer finance company licensed under ORS chapter 725, mortgage banker or mortgage
14 broker licensed under ORS 86A.095 to 86A.198, or title company for business purposes, records de-
15 scribed in paragraph (a) of this subsection, if the exemption from disclosure of the records is sought
16 by an individual described in paragraph (b) of this subsection using the procedure described in par-
17 agraph (c) of this subsection:

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

20 (A) A warranty deed, deed of trust, mortgage, lien, deed of reconveyance, release, satisfaction,
21 substitution of trustee, easement, dog license, marriage license or military discharge record that is
22 in the possession of the county clerk; or

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

24 (b) The individual claiming the exemption from disclosure must be a district attorney, a deputy
25 district attorney, the Attorney General or an assistant attorney general, the United States Attorney
26 for the District of Oregon or an assistant United States attorney for the District of Oregon, a city
27 attorney who engages in the prosecution of criminal matters or a deputy city attorney who engages
28 in the prosecution of criminal matters.

29 (c) The individual claiming the exemption from disclosure must do so by filing the claim in
30 writing with the public body for which the exemption from disclosure is being claimed on a form
31 prescribed by the public body. Unless the claim is filed with the county clerk, the claim form shall
32 list the public records in the possession of the public body to which the exemption applies. The ex-
33 emption applies until the individual claiming the exemption requests termination of the exemption
34 or ceases to qualify for the exemption.

35 (33) The following voluntary conservation agreements and reports:

36 (a) Land management plans required for voluntary stewardship agreements entered into under
37 ORS 541.423; and

38 (b) Written agreements relating to the conservation of greater sage grouse entered into volun-
39 tarily by owners or occupiers of land with a soil and water conservation district under ORS 568.550.

40 (34) Sensitive business records or financial or commercial information of the State Accident In-
41 surance Fund Corporation that is not customarily provided to business competitors. This exemption
42 does not:

43 (a) Apply to the formulas for determining dividends to be paid to employers insured by the State
44 Accident Insurance Fund Corporation;

45 (b) Apply to contracts for advertising, public relations or lobbying services or to documents re-

1 lated to the formation of such contracts;

2 (c) Apply to group insurance contracts or to documents relating to the formation of such con-
3 tracts, except that employer account records shall remain exempt from disclosure as provided in
4 ORS 192.502 (35); or

5 (d) Provide the basis for opposing the discovery of documents in litigation pursuant to the ap-
6 plicable rules of civil procedure.

7 (35) Records of the Department of Public Safety Standards and Training relating to investi-
8 gations conducted under ORS 181.662 or 181.878 (6), until the department issues the report described
9 in ORS 181.662 or 181.878.

10 (36) A medical examiner's report, autopsy report or laboratory test report ordered by a medical
11 examiner under ORS 146.117.

12 (37) Any document or other information related to an audit of a public body, as defined in ORS
13 174.109, that is in the custody of an auditor or audit organization operating under nationally re-
14 cognized government auditing standards, until the auditor or audit organization issues a final audit
15 report in accordance with those standards or the audit is abandoned. This exemption does not pro-
16 hibit disclosure of a draft audit report that is provided to the audited entity for the entity's response
17 to the audit findings.

18 (38)(a) Personally identifiable information collected as part of an electronic fare collection sys-
19 tem of a mass transit system.

20 (b) The exemption from disclosure in paragraph (a) of this subsection does not apply to public
21 records that have attributes of anonymity that are sufficient, or that are aggregated into groupings
22 that are broad enough, to ensure that persons cannot be identified by disclosure of the public re-
23 cords.

24 (c) As used in this subsection:

25 (A) "Electronic fare collection system" means the software and hardware used for, associated
26 with or relating to the collection of transit fares for a mass transit system, including but not limited
27 to computers, radio communication systems, personal mobile devices, wearable technology, fare in-
28 struments, information technology, data storage or collection equipment, or other equipment or im-
29 provements.

30 (B) "Mass transit system" has the meaning given that term in ORS 267.010.

31 (C) "Personally identifiable information" means all information relating to a person that ac-
32 quires or uses a transit pass or other fare payment medium in connection with an electronic fare
33 collection system, including but not limited to:

34 (i) Customer account information, date of birth, telephone number, physical address, electronic
35 mail address, credit or debit card information, bank account information, Social Security or taxpayer
36 identification number or other identification number, transit pass or fare payment medium balances
37 or history, or similar personal information; or

38 (ii) Travel dates, travel times, frequency of use, travel locations, service types or vehicle use,
39 or similar travel information.

40 **(39)(a) If requested by a civil code enforcement officer:**

41 **(A) The home address and home telephone number of the civil code enforcement officer**
42 **contained in the voter registration records for the officer.**

43 **(B) The name of the civil code enforcement officer contained in county real property**
44 **assessment or taxation records. This exemption:**

45 **(i) Applies only to the name of the civil code enforcement officer and any other owner**

1 **of the property in connection with a specific property identified by the officer in a request**
2 **for exemption from disclosure;**

3 **(ii) Applies only to records that may be made immediately available to the public upon**
4 **request in person, by telephone or using the Internet;**

5 **(iii) Applies until the civil code enforcement officer requests termination of the ex-**
6 **emption;**

7 **(iv) Does not apply to disclosure of records among public bodies as defined in ORS 174.109**
8 **for governmental purposes; and**

9 **(v) May not result in liability for the county if the name of the civil code enforcement**
10 **officer is disclosed after a request for exemption from disclosure is made under this sub-**
11 **section.**

12 **(b) As used in this subsection, “civil code enforcement officer” means an employee of a**
13 **public body, as defined in ORS 174.109, who is charged with enforcing laws or ordinances re-**
14 **lating to land use, zoning, use of rights-of-way, solid waste, hazardous waste, sewage treat-**
15 **ment and disposal or the state building code.**

16 **SECTION 2.** ORS 192.501, as amended by section 3, chapter 455, Oregon Laws 2005, section 7,
17 chapter 608, Oregon Laws 2007, section 2, chapter 687, Oregon Laws 2007, section 2, chapter 48,
18 Oregon Laws 2008, section 3, chapter 57, Oregon Laws 2009, section 2, chapter 135, Oregon Laws
19 2009, section 4, chapter 222, Oregon Laws 2009, section 2, chapter 769, Oregon Laws 2009, section
20 15, chapter 9, Oregon Laws 2011, section 2, chapter 285, Oregon Laws 2011, section 69, chapter 637,
21 Oregon Laws 2011, section 2, chapter 325, Oregon Laws 2013, section 108, chapter 768, Oregon Laws
22 2013, section 2, chapter 37, Oregon Laws 2014, and section 2, chapter 64, Oregon Laws 2014, is
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6 from justice.

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36 of as part of the project, but only after the transactions have closed and are concluded;

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7 systems, that are used or operated by a public body.

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10 protect:

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14 mation contained in the systems; or

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16 evaluation under ORS 461.180 (6).

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19 a person who has or who is interested in donating money or property to the Oregon Health and
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32 (28) Social Security numbers as provided in ORS 107.840.

33 (29) The electronic mail address of a student who attends a public university listed in ORS
34 352.002 or Oregon Health and Science University.

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

36 (a) The home address and home telephone number of the public safety officer contained in the
37 voter registration records for the [public safety] officer.

38 (b) The home address and home telephone number of the public safety officer contained in re-
39 cords of the Department of Public Safety Standards and Training.

40 (c) The name of the public safety officer contained in county real property assessment or taxa-
41 tion records. This exemption:

42 (A) Applies only to the name of the public safety officer and any other owner of the property
43 in connection with a specific property identified by the officer in a request for exemption from dis-
44 closure;

45 (B) Applies only to records that may be made immediately available to the public upon request

1 in person, by telephone or using the Internet;

2 (C) Applies until the public safety officer requests termination of the exemption;

3 (D) Does not apply to disclosure of records among public bodies as defined in ORS 174.109 for
4 governmental purposes; and

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

7 (31) Unless the public records request is made by a financial institution, as defined in ORS
8 706.008, consumer finance company licensed under ORS chapter 725, mortgage banker or mortgage
9 broker licensed under ORS 86A.095 to 86A.198, or title company for business purposes, records de-
10 scribed in paragraph (a) of this subsection, if the exemption from disclosure of the records is sought
11 by an individual described in paragraph (b) of this subsection using the procedure described in par-
12 agraph (c) of this subsection:

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

15 (A) A warranty deed, deed of trust, mortgage, lien, deed of reconveyance, release, satisfaction,
16 substitution of trustee, easement, dog license, marriage license or military discharge record that is
17 in the possession of the county clerk; or

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

19 (b) The individual claiming the exemption from disclosure must be a district attorney, a deputy
20 district attorney, the Attorney General or an assistant attorney general, the United States Attorney
21 for the District of Oregon or an assistant United States attorney for the District of Oregon, a city
22 attorney who engages in the prosecution of criminal matters or a deputy city attorney who engages
23 in the prosecution of criminal matters.

24 (c) The individual claiming the exemption from disclosure must do so by filing the claim in
25 writing with the public body for which the exemption from disclosure is being claimed on a form
26 prescribed by the public body. Unless the claim is filed with the county clerk, the claim form shall
27 list the public records in the possession of the public body to which the exemption applies. The ex-
28 emption applies until the individual claiming the exemption requests termination of the exemption
29 or ceases to qualify for the exemption.

30 (32) The following voluntary conservation agreements and reports:

31 (a) Land management plans required for voluntary stewardship agreements entered into under
32 ORS 541.423; and

33 (b) Written agreements relating to the conservation of greater sage grouse entered into volun-
34 tarily by owners or occupiers of land with a soil and water conservation district under ORS 568.550.

35 (33) Sensitive business records or financial or commercial information of the State Accident In-
36 surance Fund Corporation that is not customarily provided to business competitors. This exemption
37 does not:

38 (a) Apply to the formulas for determining dividends to be paid to employers insured by the State
39 Accident Insurance Fund Corporation;

40 (b) Apply to contracts for advertising, public relations or lobbying services or to documents re-
41 lated to the formation of such contracts;

42 (c) Apply to group insurance contracts or to documents relating to the formation of such con-
43 tracts, except that employer account records shall remain exempt from disclosure as provided in
44 ORS 192.502 (35); or

45 (d) Provide the basis for opposing the discovery of documents in litigation pursuant to the ap-

1 plicable rules of civil procedure.

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

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

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

13 (37)(a) Personally identifiable information collected as part of an electronic fare collection sys-
14 tem of a mass transit system.

15 (b) The exemption from disclosure in paragraph (a) of this subsection does not apply to public
16 records that have attributes of anonymity that are sufficient, or that are aggregated into groupings
17 that are broad enough, to ensure that persons cannot be identified by disclosure of the public re-
18 cords.

19 (c) As used in this subsection:

20 (A) "Electronic fare collection system" means the software and hardware used for, associated
21 with or relating to the collection of transit fares for a mass transit system, including but not limited
22 to computers, radio communication systems, personal mobile devices, wearable technology, fare in-
23 struments, information technology, data storage or collection equipment, or other equipment or im-
24 provements.

25 (B) "Mass transit system" has the meaning given that term in ORS 267.010.

26 (C) "Personally identifiable information" means all information relating to a person that ac-
27 quires or uses a transit pass or other fare payment medium in connection with an electronic fare
28 collection system, including but not limited to:

29 (i) Customer account information, date of birth, telephone number, physical address, electronic
30 mail address, credit or debit card information, bank account information, Social Security or taxpayer
31 identification number or other identification number, transit pass or fare payment medium balances
32 or history, or similar personal information; or

33 (ii) Travel dates, travel times, frequency of use, travel locations, service types or vehicle use,
34 or similar travel information.

35 **(38)(a) If requested by a civil code enforcement officer:**

36 **(A) The home address and home telephone number of the civil code enforcement officer**
37 **contained in the voter registration records for the officer.**

38 **(B) The name of the civil code enforcement officer contained in county real property**
39 **assessment or taxation records. This exemption:**

40 **(i) Applies only to the name of the civil code enforcement officer and any other owner**
41 **of the property in connection with a specific property identified by the officer in a request**
42 **for exemption from disclosure;**

43 **(ii) Applies only to records that may be made immediately available to the public upon**
44 **request in person, by telephone or using the Internet;**

45 **(iii) Applies until the civil code enforcement officer requests termination of the ex-**

1 **emption;**

2 (iv) **Does not apply to disclosure of records among public bodies as defined in ORS 174.109**
3 **for governmental purposes; and**

4 (v) **May not result in liability for the county if the name of the civil code enforcement**
5 **officer is disclosed after a request for exemption from disclosure is made under this sub-**
6 **section.**

7 (b) **As used in this subsection, “civil code enforcement officer” means an employee of a**
8 **public body, as defined in ORS 174.109, who is charged with enforcing laws or ordinances re-**
9 **lating to land use, zoning, use of rights-of-way, solid waste, hazardous waste, sewage treat-**
10 **ment and disposal or the state building code.**

11 **SECTION 3.** ORS 312.030 is amended to read:

12 312.030. (1) Within two months after the day of delinquency of taxes of each year the tax col-
13 lector shall prepare a list of all real properties then subject to foreclosure. The list shall be known
14 as the foreclosure list and shall contain:

15 (a) The names of the several persons appearing in the latest tax roll as the respective owners
16 of tax-delinquent properties. If the owner of the property is an attorney, or a public safety officer
17 **or civil code enforcement officer** who has applied for an exemption under ORS 192.501, the list
18 shall state that the name of the owner is suppressed by law.

19 (b) A description of each such property as it appears in the latest tax roll.

20 (c) The year or years for which taxes are delinquent on each property.

21 (d) The principal amount of the delinquent taxes of each year and the amount of accrued and
22 accruing interest thereon to the day of publication.

23 (2) Thereafter, and until judgment is obtained pursuant to ORS 312.090, interest shall be charged
24 and collected on each of the several amounts of taxes included in the foreclosure list at the rate
25 provided in ORS 311.505 (2).

26 **SECTION 4.** ORS 802.250 is amended to read:

27 802.250. (1) An eligible public employee may request that any driver or vehicle record kept by
28 the Department of Transportation that contains or is required to contain the eligible employee's
29 residence address contain instead the address of the public agency employing the eligible employee.
30 A request under this section shall:

31 (a) Be in a form specified by the department that provides for verification of the eligible
32 employee's employment.

33 (b) Contain verification by the employing public agency of the eligible employee's employment
34 with the public agency.

35 (2) Upon receipt of a request and verification under subsection (1) of this section, the depart-
36 ment shall remove the eligible employee's residence address from its records, if necessary, and sub-
37 stitute therefor the address of the public agency employing the eligible employee. The department
38 shall indicate on the records that the address shown is an employment address. While the request
39 is in effect, the eligible employee may enter the address of the public agency employing the eligible
40 employee on any driver or vehicle form issued by the department that requires an address.

41 (3) A public agency that verifies an eligible employee's employment under subsection (1) of this
42 section shall notify the department within 30 days if the eligible employee ceases to be employed
43 by the public agency. The eligible employee shall notify the department of a change of address as
44 provided in ORS 803.220 or 807.560.

45 (4) If an eligible employee is killed in the line of duty, a person who is a household member of

1 the eligible employee may request that any driver or vehicle record kept by the department that
2 contains or is required to contain the household member's residence address continue to contain the
3 address of the public agency that employed the eligible employee for up to four years after the date
4 of the death of the eligible employee. On or before the date on which the four-year period ends, the
5 household member shall notify the department of a change of address as provided in ORS 803.220
6 or 807.560. A request under this subsection shall be in a form specified by the department.

7 (5) As used in this section, "eligible employee" means:

8 (a) A member of the State Board of Parole and Post-Prison Supervision.

9 (b) The Director of the Department of Corrections and an employee of an institution defined in
10 ORS 421.005 as Department of Corrections institutions, whose duties, as assigned by the super-
11 intendent, include the custody of persons committed to the custody of or transferred to the institu-
12 tion.

13 (c) A parole and probation officer employed by the Department of Corrections and an employee
14 of the Department of Corrections Release Center whose duties, as assigned by the Chief of the Re-
15 lease Center, include the custody of persons committed to the custody of or transferred to the Re-
16 lease Center.

17 (d) A police officer appointed under ORS 276.021 or 276.023.

18 (e) An employee of the State Department of Agriculture who is classified as a brand inspector
19 by the Director of Agriculture.

20 (f) An investigator of the Criminal Justice Division of the Department of Justice.

21 (g) A corrections officer as defined in ORS 181.610.

22 (h) A federal officer. As used in this paragraph, "federal officer" means a special agent or law
23 enforcement officer employed by:

24 (A) The Federal Bureau of Investigation;

25 (B) The United States Secret Service;

26 (C) The United States Citizenship and Immigration Services;

27 (D) The United States Marshals Service;

28 (E) The Drug Enforcement Administration;

29 (F) The United States Postal Service;

30 (G) The United States Customs and Border Protection;

31 (H) The United States General Services Administration;

32 (I) The United States Department of Agriculture;

33 (J) The Bureau of Alcohol, Tobacco, Firearms and Explosives;

34 (K) The Internal Revenue Service;

35 (L) The United States Department of the Interior; or

36 (M) Any federal agency if the person is empowered to effect an arrest with or without warrant
37 for violations of the United States Code and is authorized to carry firearms in the performance of
38 duty.

39 (i) An employee of the Department of Human Services or the Oregon Health Authority whose
40 duties include personal contact with clients or patients of the department or the authority.

41 (j) Any judge of a court of this state.

42 (k) An employee of the Oregon Youth Authority whose duties include personal contact with
43 persons committed to the legal or physical custody of the authority.

44 (L) A district attorney, as defined in ORS 131.005, or deputy district attorney.

45 (m) An employee who provides educational services to persons who are clients or patients of the

1 Department of Human Services or the Oregon Health Authority, who are under the jurisdiction of
2 the Psychiatric Security Review Board or who are under the custody or supervision of the Depart-
3 ment of Corrections, the State Board of Parole and Post-Prison Supervision, a community corrections
4 agency, the Oregon Youth Authority or a juvenile department. As used in this paragraph, “employee
5 who provides educational services” means a person who provides instruction, or services related to
6 the instruction, of a subject usually taught in an elementary school, a secondary school or a com-
7 munity college or who provides special education and related services in other than a school setting
8 and who works for:

9 (A) An education service district or a community college district; or

10 (B) A state officer, board, commission, bureau, department or division in the executive branch
11 of state government that provides educational services.

12 (n) An employee of the Oregon Liquor Control Commission who is:

13 (A) A liquor enforcement inspector; or

14 (B) A regulatory manager.

15 (o) A police officer as defined in ORS 801.395.

16 (p) An employee whose duties include personal contact with criminal offenders and who is em-
17 ployed by a law enforcement unit, as defined in ORS 181.610.

18 (q) **A civil code enforcement officer, as defined in ORS 192.501.**

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