

**B-Engrossed**  
**House Bill 2208**

Ordered by the Senate May 26  
Including House Amendments dated March 31 and Senate Amendments  
dated May 26

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."

**Exempts specified personal information of individuals currently or previously certified or licensed by Department of Public Safety Standards and Training from required disclosure under public records law.**

**Declares emergency, effective on passage.**

**A BILL FOR AN ACT**

1  
2 Relating to the disclosure of personal information; amending ORS 192.501, 192.502, 312.030 and  
3 802.250; and declaring an emergency.

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

5 **SECTION 1.** ORS 192.501, as amended by section 1, chapter 37, Oregon Laws 2014, and section  
6 1, chapter 64, Oregon Laws 2014, is amended to read:

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

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

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

20 (3) Investigatory information compiled for criminal law purposes. The record of an arrest or the  
21 report of a crime shall be disclosed unless and only for so long as there is a clear need to delay  
22 disclosure in the course of a specific investigation, including the need to protect the complaining  
23 party or the victim. Nothing in this subsection shall limit any right constitutionally guaranteed, or  
24 granted by statute, to disclosure or discovery in criminal cases. For purposes of this subsection, the

**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 record of an arrest or the report of a crime includes, but is not limited to:

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

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

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

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

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

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

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

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

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

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

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

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

31 (9) Investigatory information relating to any complaint or charge filed under ORS 243.676 and  
32 663.180.

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

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

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

41 (13) Information developed pursuant to ORS 496.004, 496.172 and 498.026 or ORS 496.192 and  
42 564.100, regarding the habitat, location or population of any threatened species or endangered spe-  
43 cies.

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

1 (15) Computer programs developed or purchased by or for any public body for its own use. As  
2 used in this subsection, “computer program” means a series of instructions or statements which  
3 permit the functioning of a computer system in a manner designed to provide storage, retrieval and  
4 manipulation of data from such computer system, and any associated documentation and source  
5 material that explain how to operate the computer program. “Computer program” does not include:

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

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

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

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

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

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

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

28 (b) Financial statements. As used in this paragraph, “financial statement” means a financial  
29 statement of a nonregulated corporation having an affiliated interest, as defined in ORS 759.390,  
30 with a telecommunications carrier, as defined in ORS 133.721.

31 (20) The residence address of an elector if authorized under ORS 247.965 and subject to ORS  
32 247.967.

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

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

37 (b) Credit reports;

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

41 (d) Market studies and analyses;

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

43 (f) Commitment letters;

44 (g) Project pro forma statements;

45 (h) Project cost certifications and cost data;

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

1 voter registration records for the [public safety] officer.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 does not:

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

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

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

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

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

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

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

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

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

28 (c) As used in this subsection:

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

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

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

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

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

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

45 **(A) The home address and home telephone number of the civil code enforcement officer**

1 contained in the voter registration records for the officer.

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

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

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

9 (iii) Applies until the civil code enforcement officer requests termination of the ex-  
10 emption;

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

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

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

20 **SECTION 2.** ORS 192.501, as amended by section 3, chapter 455, Oregon Laws 2005, section 7,  
21 chapter 608, Oregon Laws 2007, section 2, chapter 687, Oregon Laws 2007, section 2, chapter 48,  
22 Oregon Laws 2008, section 3, chapter 57, Oregon Laws 2009, section 2, chapter 135, Oregon Laws  
23 2009, section 4, chapter 222, Oregon Laws 2009, section 2, chapter 769, Oregon Laws 2009, section  
24 15, chapter 9, Oregon Laws 2011, section 2, chapter 285, Oregon Laws 2011, section 69, chapter 637,  
25 Oregon Laws 2011, section 2, chapter 325, Oregon Laws 2013, section 108, chapter 768, Oregon Laws  
26 2013, section 2, chapter 37, Oregon Laws 2014, and section 2, chapter 64, Oregon Laws 2014, is  
27 amended to read:

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29 unless the public interest requires disclosure in the particular instance:

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45 granted by statute, to disclosure or discovery in criminal cases. For purposes of this subsection, the

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- 21 (24) Personal information held by or under the direction of officials of the Oregon Health and
- 22 Science University, a public university listed in ORS 352.002 or the Oregon University System about
- 23 a person who has or who is interested in donating money or property to the Oregon Health and
- 24 Science University, the system or a public university, if the information is related to the family of
- 25 the person, personal assets of the person or is incidental information not related to the donation.
- 26 (25) The home address, professional address and telephone number of a person who has or who
- 27 is interested in donating money or property to the Oregon University System or a public university
- 28 listed in ORS 352.002.
- 29 (26) Records of the name and address of a person who files a report with or pays an assessment
- 30 to a commodity commission established under ORS 576.051 to 576.455, the Oregon Beef Council
- 31 created under ORS 577.210 or the Oregon Wheat Commission created under ORS 578.030.
- 32 (27) Information provided to, obtained by or used by a public body to authorize, originate, re-
- 33 ceive or authenticate a transfer of funds, including but not limited to a credit card number, payment
- 34 card expiration date, password, financial institution account number and financial institution routing
- 35 number.
- 36 (28) Social Security numbers as provided in ORS 107.840.
- 37 (29) The electronic mail address of a student who attends a public university listed in ORS
- 38 352.002 or Oregon Health and Science University.
- 39 (30) If requested by a public safety officer, as defined in ORS 181.610:
- 40 (a) The home address and home telephone number of the public safety officer contained in the
- 41 voter registration records for the [public safety] officer.
- 42 (b) The home address and home telephone number of the public safety officer contained in re-
- 43 cords of the Department of Public Safety Standards and Training.
- 44 (c) The name of the public safety officer contained in county real property assessment or taxa-
- 45 tion records. This exemption:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

23 (c) As used in this subsection:

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

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

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

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

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

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

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

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

44 **(i) Applies only to the name of the civil code enforcement officer and any other owner**  
45 **of the property in connection with a specific property identified by the officer in a request**

1 **for exemption from disclosure;**

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

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

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

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

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

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

16 312.030. (1) Within two months after the day of delinquency of taxes of each year the tax col-  
17 lector shall prepare a list of all real properties then subject to foreclosure. The list shall be known  
18 as the foreclosure list and shall contain:

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

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

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

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

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

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

31 802.250. (1) An eligible public employee may request that any driver or vehicle record kept by  
32 the Department of Transportation that contains or is required to contain the eligible employee's  
33 residence address contain instead the address of the public agency employing the eligible employee.  
34 A request under this section shall:

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

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

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

45 (3) A public agency that verifies an eligible employee's employment under subsection (1) of this

1 section shall notify the department within 30 days if the eligible employee ceases to be employed  
2 by the public agency. The eligible employee shall notify the department of a change of address as  
3 provided in ORS 803.220 or 807.560.

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

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

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

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

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

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

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

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

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

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

28 (A) The Federal Bureau of Investigation;

29 (B) The United States Secret Service;

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

31 (D) The United States Marshals Service;

32 (E) The Drug Enforcement Administration;

33 (F) The United States Postal Service;

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

35 (H) The United States General Services Administration;

36 (I) The United States Department of Agriculture;

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

38 (K) The Internal Revenue Service;

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

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

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

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

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

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

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

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

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

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

17 (A) A liquor enforcement inspector; or

18 (B) A regulatory manager.

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

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

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

23 **SECTION 5.** ORS 192.502 is amended to read:

24 192.502. The following public records are exempt from disclosure under ORS 192.410 to 192.505:

25 (1) Communications within a public body or between public bodies of an advisory nature to the  
26 extent that they cover other than purely factual materials and are preliminary to any final agency  
27 determination of policy or action. This exemption shall not apply unless the public body shows that  
28 in the particular instance the public interest in encouraging frank communication between officials  
29 and employees of public bodies clearly outweighs the public interest in disclosure.

30 (2) Information of a personal nature such as but not limited to that kept in a personal, medical  
31 or similar file, if public disclosure would constitute an unreasonable invasion of privacy, unless the  
32 public interest by clear and convincing evidence requires disclosure in the particular instance. The  
33 party seeking disclosure shall have the burden of showing that public disclosure would not consti-  
34 tute an unreasonable invasion of privacy.

35 (3) Public body employee or volunteer addresses, Social Security numbers, dates of birth and  
36 telephone numbers contained in personnel records maintained by the public body that is the em-  
37 ployer or the recipient of volunteer services. This exemption:

38 (a) Does not apply to the addresses, dates of birth and telephone numbers of employees or vol-  
39 unteers who are elected officials, except that a judge or district attorney subject to election may  
40 seek to exempt the judge's or district attorney's address or telephone number, or both, under the  
41 terms of ORS 192.445;

42 (b) Does not apply to employees or volunteers to the extent that the party seeking disclosure  
43 shows by clear and convincing evidence that the public interest requires disclosure in a particular  
44 instance;

45 (c) Does not apply to a substitute teacher as defined in ORS 342.815 when requested by a pro-

1 fessional education association of which the substitute teacher may be a member; and

2 (d) Does not relieve a public employer of any duty under ORS 243.650 to 243.782.

3 (4) Information submitted to a public body in confidence and not otherwise required by law to  
4 be submitted, where such information should reasonably be considered confidential, the public body  
5 has obliged itself in good faith not to disclose the information, and when the public interest would  
6 suffer by the disclosure.

7 (5) Information or records of the Department of Corrections, including the State Board of Parole  
8 and Post-Prison Supervision, to the extent that disclosure would interfere with the rehabilitation of  
9 a person in custody of the department or substantially prejudice or prevent the carrying out of the  
10 functions of the department, if the public interest in confidentiality clearly outweighs the public in-  
11 terest in disclosure.

12 (6) Records, reports and other information received or compiled by the Director of the Depart-  
13 ment of Consumer and Business Services in the administration of ORS chapters 723 and 725 not  
14 otherwise required by law to be made public, to the extent that the interests of lending institutions,  
15 their officers, employees and customers in preserving the confidentiality of such information out-  
16 weighs the public interest in disclosure.

17 (7) Reports made to or filed with the court under ORS 137.077 or 137.530.

18 (8) Any public records or information the disclosure of which is prohibited by federal law or  
19 regulations.

20 (9)(a) Public records or information the disclosure of which is prohibited or restricted or other-  
21 wise made confidential or privileged under Oregon law.

22 (b) Subject to ORS 192.423, paragraph (a) of this subsection does not apply to factual information  
23 compiled in a public record when:

24 (A) The basis for the claim of exemption is ORS 40.225;

25 (B) The factual information is not prohibited from disclosure under any applicable state or fed-  
26 eral law, regulation or court order and is not otherwise exempt from disclosure under ORS 192.410  
27 to 192.505;

28 (C) The factual information was compiled by or at the direction of an attorney as part of an  
29 investigation on behalf of the public body in response to information of possible wrongdoing by the  
30 public body;

31 (D) The factual information was not compiled in preparation for litigation, arbitration or an  
32 administrative proceeding that was reasonably likely to be initiated or that has been initiated by  
33 or against the public body; and

34 (E) The holder of the privilege under ORS 40.225 has made or authorized a public statement  
35 characterizing or partially disclosing the factual information compiled by or at the attorney's di-  
36 rection.

37 (10) Public records or information described in this section, furnished by the public body ori-  
38 ginally compiling, preparing or receiving them to any other public officer or public body in con-  
39 nection with performance of the duties of the recipient, if the considerations originally giving rise  
40 to the confidential or exempt nature of the public records or information remain applicable.

41 (11) Records of the Energy Facility Siting Council concerning the review or approval of security  
42 programs pursuant to ORS 469.530.

43 (12) Employee and retiree address, telephone number and other nonfinancial membership records  
44 and employee financial records maintained by the Public Employees Retirement System pursuant to  
45 ORS chapters 238 and 238A.



1 (13) Records of or submitted to the State Treasurer, the Oregon Investment Council or the  
2 agents of the treasurer or the council relating to active or proposed publicly traded investments  
3 under ORS chapter 293, including but not limited to records regarding the acquisition, exchange or  
4 liquidation of the investments. For the purposes of this subsection:

5 (a) The exemption does not apply to:

6 (A) Information in investment records solely related to the amount paid directly into an invest-  
7 ment by, or returned from the investment directly to, the treasurer or council; or

8 (B) The identity of the entity to which the amount was paid directly or from which the amount  
9 was received directly.

10 (b) An investment in a publicly traded investment is no longer active when acquisition, exchange  
11 or liquidation of the investment has been concluded.

12 (14)(a) Records of or submitted to the State Treasurer, the Oregon Investment Council, the  
13 Oregon Growth Board or the agents of the treasurer, council or board relating to actual or proposed  
14 investments under ORS chapter 293 or 348 in a privately placed investment fund or a private asset  
15 including but not limited to records regarding the solicitation, acquisition, deployment, exchange or  
16 liquidation of the investments including but not limited to:

17 (A) Due diligence materials that are proprietary to an investment fund, to an asset ownership  
18 or to their respective investment vehicles.

19 (B) Financial statements of an investment fund, an asset ownership or their respective invest-  
20 ment vehicles.

21 (C) Meeting materials of an investment fund, an asset ownership or their respective investment  
22 vehicles.

23 (D) Records containing information regarding the portfolio positions in which an investment  
24 fund, an asset ownership or their respective investment vehicles invest.

25 (E) Capital call and distribution notices of an investment fund, an asset ownership or their re-  
26 spective investment vehicles.

27 (F) Investment agreements and related documents.

28 (b) The exemption under this subsection does not apply to:

29 (A) The name, address and vintage year of each privately placed investment fund.

30 (B) The dollar amount of the commitment made to each privately placed investment fund since  
31 inception of the fund.

32 (C) The dollar amount of cash contributions made to each privately placed investment fund since  
33 inception of the fund.

34 (D) The dollar amount, on a fiscal year-end basis, of cash distributions received by the State  
35 Treasurer, the Oregon Investment Council, the Oregon Growth Board or the agents of the treasurer,  
36 council or board from each privately placed investment fund.

37 (E) The dollar amount, on a fiscal year-end basis, of the remaining value of assets in a privately  
38 placed investment fund attributable to an investment by the State Treasurer, the Oregon Investment  
39 Council, the Oregon Growth Board or the agents of the treasurer, council or board.

40 (F) The net internal rate of return of each privately placed investment fund since inception of  
41 the fund.

42 (G) The investment multiple of each privately placed investment fund since inception of the fund.

43 (H) The dollar amount of the total management fees and costs paid on an annual fiscal year-end  
44 basis to each privately placed investment fund.

45 (I) The dollar amount of cash profit received from each privately placed investment fund on a

1 fiscal year-end basis.

2 (15) The monthly reports prepared and submitted under ORS 293.761 and 293.766 concerning the  
3 Public Employees Retirement Fund and the Industrial Accident Fund may be uniformly treated as  
4 exempt from disclosure for a period of up to 90 days after the end of the calendar quarter.

5 (16) Reports of unclaimed property filed by the holders of such property to the extent permitted  
6 by ORS 98.352.

7 (17)(a) The following records, communications and information submitted to the Oregon Business  
8 Development Commission, the Oregon Business Development Department, the State Department of  
9 Agriculture, the Oregon Growth Board, the Port of Portland or other ports as defined in ORS  
10 777.005, or a county or city governing body and any board, department, commission, council or  
11 agency thereof, by applicants for investment funds, grants, loans, services or economic development  
12 moneys, support or assistance including, but not limited to, those described in ORS 285A.224:

13 (A) Personal financial statements.

14 (B) Financial statements of applicants.

15 (C) Customer lists.

16 (D) Information of an applicant pertaining to litigation to which the applicant is a party if the  
17 complaint has been filed, or if the complaint has not been filed, if the applicant shows that such  
18 litigation is reasonably likely to occur; this exemption does not apply to litigation which has been  
19 concluded, and nothing in this subparagraph shall limit any right or opportunity granted by discov-  
20 ery or deposition statutes to a party to litigation or potential litigation.

21 (E) Production, sales and cost data.

22 (F) Marketing strategy information that relates to applicant's plan to address specific markets  
23 and applicant's strategy regarding specific competitors.

24 (b) The following records, communications and information submitted to the State Department  
25 of Energy by applicants for tax credits or for grants awarded under ORS 469B.256:

26 (A) Personal financial statements.

27 (B) Financial statements of applicants.

28 (C) Customer lists.

29 (D) Information of an applicant pertaining to litigation to which the applicant is a party if the  
30 complaint has been filed, or if the complaint has not been filed, if the applicant shows that such  
31 litigation is reasonably likely to occur; this exemption does not apply to litigation which has been  
32 concluded, and nothing in this subparagraph shall limit any right or opportunity granted by discov-  
33 ery or deposition statutes to a party to litigation or potential litigation.

34 (E) Production, sales and cost data.

35 (F) Marketing strategy information that relates to applicant's plan to address specific markets  
36 and applicant's strategy regarding specific competitors.

37 (18) Records, reports or returns submitted by private concerns or enterprises required by law  
38 to be submitted to or inspected by a governmental body to allow it to determine the amount of any  
39 transient lodging tax payable and the amounts of such tax payable or paid, to the extent that such  
40 information is in a form which would permit identification of the individual concern or enterprise.  
41 Nothing in this subsection shall limit the use which can be made of such information for regulatory  
42 purposes or its admissibility in any enforcement proceedings. The public body shall notify the tax-  
43 payer of the delinquency immediately by certified mail. However, in the event that the payment or  
44 delivery of transient lodging taxes otherwise due to a public body is delinquent by over 60 days, the  
45 public body shall disclose, upon the request of any person, the following information:

1 (a) The identity of the individual concern or enterprise that is delinquent over 60 days in the  
2 payment or delivery of the taxes.

3 (b) The period for which the taxes are delinquent.

4 (c) The actual, or estimated, amount of the delinquency.

5 (19) All information supplied by a person under ORS 151.485 for the purpose of requesting ap-  
6 pointed counsel, and all information supplied to the court from whatever source for the purpose of  
7 verifying the financial eligibility of a person pursuant to ORS 151.485.

8 (20) Workers' compensation claim records of the Department of Consumer and Business Services,  
9 except in accordance with rules adopted by the Director of the Department of Consumer and Busi-  
10 ness Services, in any of the following circumstances:

11 (a) When necessary for insurers, self-insured employers and third party claim administrators to  
12 process workers' compensation claims.

13 (b) When necessary for the director, other governmental agencies of this state or the United  
14 States to carry out their duties, functions or powers.

15 (c) When the disclosure is made in such a manner that the disclosed information cannot be used  
16 to identify any worker who is the subject of a claim.

17 (d) When a worker or the worker's representative requests review of the worker's claim record.

18 (21) Sensitive business records or financial or commercial information of the Oregon Health and  
19 Science University that is not customarily provided to business competitors.

20 (22) Records of Oregon Health and Science University regarding candidates for the position of  
21 president of the university.

22 (23) The records of a library, including:

23 (a) Circulation records, showing use of specific library material by a named person;

24 (b) The name of a library patron together with the address or telephone number of the patron;  
25 and

26 (c) The electronic mail address of a patron.

27 (24) The following records, communications and information obtained by the Housing and Com-  
28 munity Services Department in connection with the department's monitoring or administration of  
29 financial assistance or of housing or other developments:

30 (a) Personal and corporate financial statements and information, including tax returns.

31 (b) Credit reports.

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

35 (d) Market studies and analyses.

36 (e) Articles of incorporation, partnership agreements and operating agreements.

37 (f) Commitment letters.

38 (g) Project pro forma statements.

39 (h) Project cost certifications and cost data.

40 (i) Audits.

41 (j) Project tenant correspondence.

42 (k) Personal information about a tenant.

43 (L) Housing assistance payments.

44 (25) Raster geographic information system (GIS) digital databases, provided by private forestland  
45 owners or their representatives, voluntarily and in confidence to the State Forestry Department,

1 that is not otherwise required by law to be submitted.

2 (26) Sensitive business, commercial or financial information furnished to or developed by a  
3 public body engaged in the business of providing electricity or electricity services, if the information  
4 is directly related to a transaction described in ORS 261.348, or if the information is directly related  
5 to a bid, proposal or negotiations for the sale or purchase of electricity or electricity services, and  
6 disclosure of the information would cause a competitive disadvantage for the public body or its re-  
7 tail electricity customers. This subsection does not apply to cost-of-service studies used in the de-  
8 velopment or review of generally applicable rate schedules.

9 (27) Sensitive business, commercial or financial information furnished to or developed by the  
10 City of Klamath Falls, acting solely in connection with the ownership and operation of the Klamath  
11 Cogeneration Project, if the information is directly related to a transaction described in ORS 225.085  
12 and disclosure of the information would cause a competitive disadvantage for the Klamath  
13 Cogeneration Project. This subsection does not apply to cost-of-service studies used in the develop-  
14 ment or review of generally applicable rate schedules.

15 (28) Personally identifiable information about customers of a municipal electric utility or a  
16 people's utility district or the names, dates of birth, driver license numbers, telephone numbers,  
17 electronic mail addresses or Social Security numbers of customers who receive water, sewer or  
18 storm drain services from a public body as defined in ORS 174.109. The utility or district may re-  
19 lease personally identifiable information about a customer, and a public body providing water, sewer  
20 or storm drain services may release the name, date of birth, driver license number, telephone num-  
21 ber, electronic mail address or Social Security number of a customer, if the customer consents in  
22 writing or electronically, if the disclosure is necessary for the utility, district or other public body  
23 to render services to the customer, if the disclosure is required pursuant to a court order or if the  
24 disclosure is otherwise required by federal or state law. The utility, district or other public body  
25 may charge as appropriate for the costs of providing such information. The utility, district or other  
26 public body may make customer records available to third party credit agencies on a regular basis  
27 in connection with the establishment and management of customer accounts or in the event such  
28 accounts are delinquent.

29 (29) A record of the street and number of an employee's address submitted to a special district  
30 to obtain assistance in promoting an alternative to single occupant motor vehicle transportation.

31 (30) Sensitive business records, capital development plans or financial or commercial information  
32 of Oregon Corrections Enterprises that is not customarily provided to business competitors.

33 (31) Documents, materials or other information submitted to the Director of the Department of  
34 Consumer and Business Services in confidence by a state, federal, foreign or international regulatory  
35 or law enforcement agency or by the National Association of Insurance Commissioners, its affiliates  
36 or subsidiaries under ORS 86A.095 to 86A.198, 697.005 to 697.095, 697.602 to 697.842, 705.137, 717.200  
37 to 717.320, 717.900 or 717.905, ORS chapter 59, 723, 725 or 726, the Bank Act or the Insurance Code  
38 when:

39 (a) The document, material or other information is received upon notice or with an under-  
40 standing that it is confidential or privileged under the laws of the jurisdiction that is the source of  
41 the document, material or other information; and

42 (b) The director has obligated the Department of Consumer and Business Services not to dis-  
43 close the document, material or other information.

44 (32) A county elections security plan developed and filed under ORS 254.074.

45 (33) Information about review or approval of programs relating to the security of:

- 1 (a) Generation, storage or conveyance of:  
2 (A) Electricity;  
3 (B) Gas in liquefied or gaseous form;  
4 (C) Hazardous substances as defined in ORS 453.005 (7)(a), (b) and (d);  
5 (D) Petroleum products;  
6 (E) Sewage; or  
7 (F) Water.  
8 (b) Telecommunication systems, including cellular, wireless or radio systems.  
9 (c) Data transmissions by whatever means provided.  
10 (34) The information specified in ORS 25.020 (8) if the Chief Justice of the Supreme Court des-  
11 ignates the information as confidential by rule under ORS 1.002.  
12 (35)(a) Employer account records of the State Accident Insurance Fund Corporation.  
13 (b) As used in this subsection, “employer account records” means all records maintained in any  
14 form that are specifically related to the account of any employer insured, previously insured or un-  
15 der consideration to be insured by the State Accident Insurance Fund Corporation and any infor-  
16 mation obtained or developed by the corporation in connection with providing, offering to provide  
17 or declining to provide insurance to a specific employer. “Employer account records” includes, but  
18 is not limited to, an employer’s payroll records, premium payment history, payroll classifications,  
19 employee names and identification information, experience modification factors, loss experience and  
20 dividend payment history.  
21 (c) The exemption provided by this subsection may not serve as the basis for opposition to the  
22 discovery documents in litigation pursuant to applicable rules of civil procedure.  
23 (36)(a) Claimant files of the State Accident Insurance Fund Corporation.  
24 (b) As used in this subsection, “claimant files” includes, but is not limited to, all records held  
25 by the corporation pertaining to a person who has made a claim, as defined in ORS 656.005, and all  
26 records pertaining to such a claim.  
27 (c) The exemption provided by this subsection may not serve as the basis for opposition to the  
28 discovery documents in litigation pursuant to applicable rules of civil procedure.  
29 (37) Except as authorized by ORS 408.425, records that certify or verify an individual’s discharge  
30 or other separation from military service.  
31 (38) Records of or submitted to a domestic violence service or resource center that relate to the  
32 name or personal information of an individual who visits a center for service, including the date of  
33 service, the type of service received, referrals or contact information or personal information of a  
34 family member of the individual. As used in this subsection, “domestic violence service or resource  
35 center” means an entity, the primary purpose of which is to assist persons affected by domestic or  
36 sexual violence by providing referrals, resource information or other assistance specifically of ben-  
37 efit to domestic or sexual violence victims.  
38 (39) Information reported to the Oregon Health Authority under ORS 431.964, except as provided  
39 in ORS 431.964 (2)(c) information disclosed by the authority under ORS 431.966 and any information  
40 related to disclosures made by the authority under ORS 431.966, including information identifying  
41 the recipient of the information.  
42 (40)(a) Electronic mail addresses in the possession or custody of an agency or subdivision of the  
43 executive department, as defined in ORS 174.112, a local government or local service district, as  
44 defined in ORS 174.116, or a special government body, as defined in ORS 174.117.  
45 (b) This subsection does not apply to electronic mail addresses assigned by a public body to

1 public employees for use by the employees in the ordinary course of their employment.

2 (41) **Residential addresses, residential telephone numbers, personal cellular telephone**  
3 **numbers, personal electronic mail addresses, driver license numbers, emergency contact in-**  
4 **formation, Social Security numbers, dates of birth and other telephone numbers of individ-**  
5 **uals currently or previously certified or licensed by the Department of Public Safety**  
6 **Standards and Training contained in the records maintained by the department.**

7 **SECTION 6. This 2015 Act being necessary for the immediate preservation of the public**  
8 **peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect**  
9 **on its passage.**

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