

# Senate Bill 372

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## 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 **as introduced**.

Requires agency to provide machine-readable copies of final orders to Oregon State Bar, or designee, upon request regardless of laws protecting information from disclosure. Permits agency, if required by federal or state law, to redact personally identifiable information from copy of order provided to Oregon State Bar or its designee.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to final orders; amending ORS 183.471; and declaring an emergency.

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

4 **SECTION 1.** ORS 183.471 is amended to read:

5 183.471. (1) **As used in this section, "machine-readable" means directly usable by a com-**  
6 **puter.**

7 [(1)] (2) When an agency issues a final order in a contested case, the agency shall maintain the  
8 final order in a [*digital*] **machine-readable** format that:

9 (a) Identifies the final order by the date it was issued;

10 (b) Is suitable for indexing and searching; and

11 (c) Preserves the textual attributes of the document, including the manner in which the docu-  
12 ment is paginated and any boldfaced, italicized or underlined writing in the document.

13 [(2)] (3) The Oregon State Bar may request that an agency provide the Oregon State Bar, or its  
14 designee, with [*electronic*] **machine-readable** copies of final orders issued by the agency in contested  
15 cases. The request must be in writing. No later than 30 days after receiving the request, the  
16 agency[, *subject to ORS 192.501 to 192.505,*] shall provide the Oregon State Bar, or its designee, with  
17 [*an electronic copy*] **machine-readable copies** of all final orders identified in the request.

18 [(3)] (4) Notwithstanding ORS 192.440, an agency may not charge a fee for the first two requests  
19 submitted under this section in a calendar year. For any subsequent request, an agency may impose  
20 a fee in accordance with ORS 192.440 to reimburse the agency for the actual costs of complying with  
21 the request.

22 [(4)] (5) For purposes of this section, a final order entered in a contested case by an adminis-  
23 trative law judge under ORS 183.625 (3) is a final order issued by the agency that authorized the  
24 administrative law judge to conduct the hearing.

25 [(5)] (6) This section does not apply to final orders by default issued under ORS 183.417 (3) or  
26 to final orders issued in contested cases by:

27 (a) The Department of Revenue;

28 (b) The State Board of Parole and Post-Prison Supervision;

**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 Department of Corrections;
- 2 (d) The Employment Relations Board;
- 3 (e) The Public Utility Commission of Oregon;
- 4 (f) The Oregon Health Authority;
- 5 (g) The Land Conservation and Development Commission;
- 6 (h) The Land Use Board of Appeals;
- 7 (i) The Division of Child Support of the Department of Justice;
- 8 (j) The Department of Transportation, if the final order relates to the suspension, revocation or
- 9 cancellation of identification cards, vehicle registrations, vehicle titles or driving privileges or to the
- 10 assessment of taxes or stipulated settlements in the regulation of vehicle related businesses;
- 11 (k) The Employment Department or the Employment Appeals Board, if the final order relates to
- 12 benefits as defined in ORS 657.010;
- 13 (L) The Employment Department, if the final order relates to an assessment of unemployment
- 14 tax for which a hearing was not held; or
- 15 (m) The Department of Human Services, if the final order was not related to licensing or certi-
- 16 fication.

17 **(7) An agency shall provide machine-readable copies of final orders issued by the agency**  
18 **in contested cases in accordance with subsection (3) of this section, notwithstanding any**  
19 **federal or state law protecting information from disclosure. However, if required by federal**  
20 **or state law, the agency may redact a copy of a final order provided to the Oregon State Bar**  
21 **or its designee in order to obscure any personally identifiable information.**

22 **SECTION 2. This 2015 Act being necessary for the immediate preservation of the public**  
23 **peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect**  
24 **on its passage.**

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