HB 3274 A   STAFF MEASURE SUMMARY

Carrier: Rep. Gomberg

House Committee On Judiciary

Action Date:	04/14/17
Action:	Do pass with amendments. (Printed A-Eng.)
Vote:	10-0-1-0
Yeas:	10 - Barker, Gorsek, Greenlick, Lininger, Olson, Post, Sanchez, Stark, Vial, Williamson
Exc:	1 - Sprenger
Fiscal:	No fiscal impact
Revenue:	No revenue impact
Prepared By:	Josh Nasbe, Counsel

WHAT THE MEASURE DOES:

Modifies existing public records exemption. Provides that specified public records prepared for or received by Office of Small Business Assistance are confidential and not subject to disclosure by Office of Small Business Assistance. Excludes specified reports. Provides that communications to and from Office of Small Business Assistance are confidential and exempt from disclosure.

ISSUES DISCUSSED:

- Proprietary business information
- Original intent of 2013 legislation
- Department of Justice legal advice

EFFECT OF AMENDMENT:

Modifies existing public records exemption. Provides that specified public records prepared for or received by Office of Small Business Assistance are confidential and not subject to disclosure by Office of Small Business Assistance. Excludes specified reports. Provides that communications to and from Office of Small Business Assistance are confidential and exempt from disclosure.

BACKGROUND:

The general rule under Oregon's Public Records Law (OPRL) is that all government records must be disclosed to the public. A number of statutes modify this rule by allowing or compelling public bodies to withhold public records and information. In the 2013, the Legislative Assembly created the Office of Small Business Assistance and provided the Office with an exemption from OPRL for specified writings, information and communications. House Bill 3274-A is intended to clarify the scope of this exemption and makes confidential all communications to and from the Office, while also providing that specified public records prepared or received by the Office are confidential and exempt from disclosure by the Office.