

HB 2874 A STAFF MEASURE SUMMARY

Carrier: Rep. Barnhart

House Committee On Rules

Action Date: 05/02/17

Action: Do pass with amendments. (Printed A-Eng.)

Vote: 6-1-2-0

Yeas: 6 - Holvey, Kennemer, Nosse, Rayfield, Smith Warner, Williamson

Nays: 1 - Barreto

Exc: 2 - Hack, McLane

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

Prepared By: Erin Seiler, LPRO Analyst

WHAT THE MEASURE DOES:

Exempts email addresses in possession of offices of legislative department from mandatory disclosure under public records law. Permits, upon request, disclosure of email addresses used to distribute elective officeholder newsletters to campaign office of current officeholder and current candidates who have filed to run for elective office. Takes effect on 91st day following adjournment *sine die*.

ISSUES DISCUSSED:

- Maintaining privacy of email addresses for individuals participating in legislative process and engaging with their legislators
- Extension of existing exemption for email addresses in possession of executive branch, local governments or special districts
- Content of email subject to disclosure but not email addresses
- Limited exception to current candidate who has filed for elective office

EFFECT OF AMENDMENT:

Permits disclosure of list of emails used to distribute legislators' newsletter to campaign office of current officeholder.

BACKGROUND:

A member of the public may sign-up through the Oregon legislature's website to receive a variety of information automatically via email including materials directly from individual state senators and representatives; agendas from legislative committees; notifications on legislative employment opportunities; and updates on specific measures as they move through the legislative process. The email address an individual provides in order to receive these alerts and notifications is in the possession of the legislative department. Current law only protects email addresses in the possession of the executive department, local governments, local service districts, and other special government bodies, from automatic disclosure as public records.

House Bill 2874-A adds email addresses in the possession of offices of the legislative department to the exemption that already exists for email addresses in the possession of the executive branch, to protect them from automatic disclosure as public records. The exemption applies to email addresses in the possession of the Legislative Assembly, the committees of the Legislative Assembly and all administrative divisions of the Legislative Assembly and its committees, whether identified as boards, commissions or departments or by any other designation. The measure permits, upon request, disclosure of email addresses used to distribute elective officeholder newsletters to the campaign office of current officeholders and current candidates who have filed to run for elective office.