

HB 3274 A STAFF MEASURE SUMMARY

Carrier: Sen. Riley

Senate Committee On General Government and Accountability

Action Date: 05/17/17
Action: Do pass the A-Eng bill.
Vote: 4-1-0-0
Yeas: 4 - DeBoer, Prozanski, Riley, Thatcher
Nays: 1 - Hass
Fiscal: No fiscal impact
Revenue: No revenue impact
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WHAT THE MEASURE DOES:

Changes a public records exemption applicable to the Office of Small Business Assistance (the Office) from "information provided to, and communications with" the Office, to information "prepared or received by" and "communications to and from" the Office. Takes effect on 91st day following adjournment *sine die*.

ISSUES DISCUSSED:

- Development of measure at request of Secretary of State
- Department of Justice recommendation to seek clarification
- Protecting proprietary, financial and other business information
- Unchanged reporting requirements

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

In Oregon as elsewhere, government records are available to the public unless they are exempt from disclosure. There are a number of specific exemptions in state law that protect a variety of sensitive information, such as information about active litigation, or trade secrets, or criminal investigations. The Office of Small Business Assistance (the Office) was created by the Legislative Assembly in 2013 to help small businesses with regulatory, administrative and operational issues, and to facilitate their interactions with state agencies and local governments. Information provided to the Office and communications with it are protected from disclosure as public records by a specific statutory exemption.

House Bill 3274A adjusts the public records exemption applicable to the Office, making it more explicit. The existing exemption protects "information provided to, and communications with" the Office. House Bill 3274A replaces that language to protect information "prepared or received by" and "communications to and from" the Office.