

# House Bill 2101

Sponsored by Representative HUFFMAN (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 **as introduced**.

Sunset certain exemptions from disclosure for public records. Requires Legislative Assembly to review exemptions prior to sunset. Requires future exemptions to sunset within six years of date of enactment.

## A BILL FOR AN ACT

1  
2 Relating to public records; creating new provisions; and repealing ORS 25.792, 36.220, 36.230, 40.225,  
3 40.230, 40.235, 40.240, 40.245, 40.250, 40.255, 40.260, 40.262, 40.264, 40.265, 40.270, 40.272, 40.273,  
4 40.275, 173.230, 173.455, 173.855, 181A.220, 181A.670, 181A.825, 181A.830, 192.445, 192.447,  
5 192.448, 192.501, 192.502, 192.517, 192.537, 192.539, 192.586, 192.844, 247.965, 285C.620, 286A.190,  
6 350.280, 383.025, 409.225, 409.230, 410.510, 411.320, 411.335, 418.642, 418.794, 418.795, 419A.100,  
7 419A.255, 419A.257, 419B.035, 426.160, 426.370, 430.763, 431A.100, 431A.865, 432.250, 432.350,  
8 432.360, 432.530, 433.008, 441.407, 441.671, 442.745, 444.330, 465.300, 466.090, 466.800, 469.090,  
9 520.097, 633.364, 646.836, 646A.164, 657.665, 659A.218, 660.339, 675.075, 675.580, 675.765, 676.175,  
10 676.177, 677.425, 679.320, 685.115, 687.490, 701.246, 703.473, 705.137, 731.264, 731.750, 731.752,  
11 731.761, 777.793, 777.795, 802.177, 802.181 and 802.195.

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

13 **SECTION 1. The following public records are exempt from public disclosure under ORS**  
14 **192.410 to 192.505:**

15 (1) Any public records or information the disclosure of which is prohibited by federal law  
16 or regulations.

17 (2) Public records or information the disclosure of which is prohibited or restricted or  
18 otherwise made confidential or privileged under Oregon law.

19 **SECTION 2. On or before June 30 of every odd-numbered year, a joint committee of the**  
20 **Legislative Assembly related to government shall review all exemptions from disclosure as**  
21 **a public record prior to the date on which a particular exemption is repealed. The committee**  
22 **may recommend, in lieu of repeal, that an exemption have another period of applicability.**

23 **SECTION 3. ORS 192.501 is repealed.**

24 **SECTION 4. ORS 192.502 is repealed.**

25 **SECTION 5. ORS 25.792, 36.220, 36.230, 40.225, 40.230, 40.235, 40.240, 40.245, 40.250, 40.255,**  
26 **40.260, 40.262, 40.264, 40.265, 40.270, 40.272, 40.273, 40.275, 173.230, 173.455, 173.855, 181A.220,**  
27 **181A.670, 181A.825, 181A.830, 192.445, 192.447, 192.448, 192.517, 192.537, 192.539, 192.586, 192.844,**  
28 **247.965, 285C.620, 286A.190, 350.280, 383.025, 409.225, 409.230, 410.510, 411.320, 411.335, 418.642,**  
29 **418.794, 418.795, 419A.100, 419A.255, 419A.257, 419B.035, 426.160, 426.370, 430.763, 431A.100,**  
30 **431A.865, 432.250, 432.350, 432.360, 432.530, 433.008, 441.407, 441.671, 442.745, 444.330, 465.300,**  
31 **466.090, 466.800, 469.090, 520.097, 633.364, 646.836, 646A.164, 657.665, 659A.218, 660.339, 675.075,**

**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.

1 675.580, 675.765, 676.175, 676.177, 677.425, 679.320, 685.115, 687.490, 701.246, 703.473, 705.137,  
2 731.264, 731.750, 731.752, 731.761, 777.793, 777.795, 802.177, 802.181 and 802.195 are repealed.

3 **SECTION 6.** An exemption from disclosure as a public record enacted by the Legislative  
4 Assembly on or after the effective date of this 2017 Act shall apply for a maximum of six  
5 years, unless the Legislative Assembly expressly provides for another period of applicability.

6 **SECTION 7.** (1) Section 3 of this 2017 Act becomes operative on January 2, 2024.

7 (2) Section 4 of this 2017 Act becomes operative on January 2, 2026.

8 (3) Section 5 of this 2017 Act becomes operative on January 2, 2028.

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