

A-Engrossed
House Bill 3274

Ordered by the House April 24
Including House Amendments dated April 24

Sponsored by Representatives MCKEOWN, GOMBERG (at the request of Secretary of State Dennis Richardson)

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.

Expands exemption from public records law of records of Office of Small Business Assistance, and directs office to maintain specified records confidentially.
Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to records of the Office of Small Business Assistance; amending ORS 56.203; and prescrib-
3 ing an effective date.

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

5 **SECTION 1.** ORS 56.203, as amended by section 2, chapter 25, Oregon Laws 2016, is amended
6 to read:

7 56.203. (1) The Office of Small Business Assistance is established within the Office of Secretary
8 of State. The Secretary of State shall employ and appoint personnel necessary to perform the func-
9 tions and duties of the Office of Small Business Assistance.

10 (2) The Office of Small Business Assistance shall:

11 (a) Assist state agencies with regulatory authority over small businesses to ensure that small
12 businesses that are subject to audit, on-site inspection, compliance monitoring or compliance assist-
13 ance efforts by state agencies, or that receive enforcement-related communications from or have
14 contacts with state agencies with regulatory authority over small businesses, are provided with the
15 means to comment on these interactions with state agencies.

16 (b) Work with state agencies for the purpose of facilitating interactions between small busi-
17 nesses and state agencies, including but not limited to obtaining timely responses to small business
18 inquiries and requests, and resolving issues that arise in the administrative, regulatory and
19 enforcement functions of state agencies with respect to small businesses.

20 (c) Work with small businesses and state agencies to identify and recommend efficient, respon-
21 sive and nonretaliatory processes for:

22 (A) Receiving concerns or complaints from small businesses regarding interactions with state
23 agencies;

24 (B) Participation of small businesses in general studies, conferences, inquiries or meetings that
25 would improve the functioning of state agencies with regulatory authority over small businesses;

26 (C) Identifying causes of unnecessary delays, inconsistencies in the administrative, regulatory
27 and enforcement functions of state agencies and inefficient uses of state resources; and

28 (D) Making recommendations for resolving issues and disputes that arise in the context of

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 interactions between state agencies and small businesses.

2 (d) Upon receipt of a question from a small business relating to any aspect of starting, operating
3 or winding up a small business, direct or refer the small business to an appropriate resource to
4 answer the question.

5 (e) Work with small businesses and local governments for the purpose of facilitating interactions
6 between small businesses and local governments, including but not limited to resolving issues that
7 arise in the administrative, regulatory and enforcement functions of local governments with respect
8 to small businesses.

9 (f) Work with small businesses and local governments to identify and recommend ways to im-
10 prove processes and functions of local governments with respect to the interaction between local
11 governments and small businesses, including but not limited to conducting general studies, confer-
12 ences, inquiries or meetings.

13 (3) All state agencies shall cooperate with and assist the Office of Small Business Assistance in
14 the performance of its duties and functions.

15 *[(4) Writings and information provided to, and communications with, the Office of Small Business*
16 *Assistance under subsection (2) of this section are confidential and exempt from disclosure under ORS*
17 *192.410 to 192.505, except as necessary to prepare the report required under ORS 56.206.]*

18 **(4)(a) Public records prepared by or received by the Office of Small Business Assistance**
19 **under subsection (2) of this section or ORS 56.206 are confidential and exempt from disclo-**
20 **sure by the Office of Small Business Assistance under ORS 192.410 to 192.505, except for re-**
21 **ports required under ORS 56.206.**

22 **(b) Communications to and from the Office of Small Business Assistance are confidential**
23 **and exempt from disclosure under ORS 192.410 to 192.505.**

24 **(c) As used in this subsection, “public record” has the meaning given that term in ORS**
25 **192.410.**

26 (5) The Secretary of State may adopt rules necessary to implement the provisions of ORS 56.200
27 to 56.209.

28 **SECTION 2. This 2017 Act takes effect on the 91st day after the date on which the 2017**
29 **regular session of the Seventy-ninth Legislative Assembly adjourns sine die.**

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