



Open Government Impact Statement

80th Oregon Legislative Assembly
2019 Regular Session

Measure: HB 2038

Only impacts on Original or Engrossed
Versions are Considered Official

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SUMMARY

Permits Public Employees' Benefit Board and Oregon Educators Benefit Board to receive proposals from prospective contractors and open proposals without publicly disclosing contents of proposals. Requires each board to record and make available identities of proposers in public record.

Permits board to choose not to disclose contents of proposal until after board issues notice of intent to award contract. Requires board to disclose contents of proposal after issuing notice of intent to award contract.

Permits board to withhold from disclosure contents of proposal that are exempt or conditionally exempt from disclosure.

Becomes operative 91 days after effective date of Act.

Declares emergency, effective on passage.

OPEN GOVERNMENT IMPACT

Legislative Counsel has not adopted standards for drafting measures that establish exemptions from disclosure of public records.

This measure exempts from disclosure the contents of bid proposals received by the Public Employees' Benefit Board and the Oregon Educators Benefit Board until after a notice of intent to award a contract has been issued.

If the public records were instead subject to mandatory disclosure under public records law, trade secret information of bidders could be revealed, and the Public Employees' Benefit Board and the Oregon Educators Benefit Board might find it more difficult to attract bidders and negotiate contracts.