



Open Government Impact Statement

81st Oregon Legislative Assembly
2021 Regular Session

Measure: HB 3273 - A

Only impacts on Original or Engrossed
Versions are Considered Official

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SUMMARY

Prohibits law enforcement agency from releasing booking photo except in specified circumstances.

Requires publish-for-pay publication to remove and destroy booking photo upon request within specified time period. Prohibits publication from charging fee for removal and destruction of certain booking photos. Provides that publication is liable for fees, costs and statutory damages for failure to remove and destroy photo as required.

OPEN GOVERNMENT IMPACT

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

This measure exempts from public disclosure booking photos unless there is a law enforcement purpose for the release or a conviction results from the arrest during which the booking photo was obtained.

If those public records that could be subject to public disclosure were instead subject to mandatory disclosure under public records law, the public could receive booking photos of individuals that have been arrested.