Senate Bill 294

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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.

Requires Public Records Advisory Council to conduct surveys every even-numbered year on public records practices and procedures and to publish results of surveys by September 1 of each odd-numbered year.

A BILL FOR AN ACT

Relating to public records; amending ORS 192.483.

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

SECTION 1. ORS 192.483 is amended to read:

192.483. (1) The Public Records Advisory Council created under ORS 192.481 shall periodically perform all of the following:

(a) Every even-numbered year, survey state agency and other public body practices and procedures for:

(A) Receiving public records requests, identifying the existence of records responsive to the requests and gathering and disclosing responsive records;

(B) Determining fee estimates and imposing or waiving fees under ORS 192.324; and

(C) Determining and applying exemptions from required disclosure of public records; and

(D) Any other information that the council deems appropriate following feedback from public records requesters or other interested persons.

(b) Examine practices similar to those described in paragraph (a) of this subsection in other jurisdictions.

(c) Identify inefficiencies and inconsistencies in application of the public records law that impede transparency in public process and government.

(d) Make recommendations on changes in law, policy or practice that could enhance transparency in public process and government, and facilitate rapid dissemination of public records to requesters.

(e) Make recommendations on the role of the Public Records Advocate as facilitator in disputes between custodians of public records and public record requesters.

(2) The council shall publish the results of the survey described in subsection (1)(a) of this section on or before September 1 of the odd-numbered year following the year in which the survey is conducted. The council shall at the same time publish a listing of the entities that failed to respond to the survey.

(3) No later than December 1 of each even-numbered year, the council shall submit to the Governor, and to the Legislative Assembly in the manner provided by ORS 192.245, a report that describes the findings of the council since the council’s last report. The report may include recom-

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.
mendations for legislation.

[(3)] (4) The council or the Public Records Advocate may prepare reports and studies more frequently than required under subsection [(2)] (3) of this section.

[(4)] (5) The council may adopt rules governing the operations of the office of the Public Records Advocate, including but not limited to rules establishing procedures for the conduct of facilitated dispute resolution under ORS 192.464. The council shall consider efficiencies and the preference for a policy of transparency and openness in government in this state in adopting rules under this subsection.