

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

1
2 Relating to public records; amending ORS 192.483.

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

4 **SECTION 1.** ORS 192.483 is amended to read:

5 192.483. (1) The Public Records Advisory Council created under ORS 192.481 shall periodically
6 perform all of the following:

7 (a) **Every even-numbered year**, survey state agency and other public body practices and pro-
8 cedures for:

9 (A) Receiving public records requests, identifying the existence of records responsive to the re-
10 quests and gathering and disclosing responsive records;

11 (B) Determining fee estimates and imposing or waiving fees under ORS 192.324; *[and]*

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

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

15 (b) Examine practices similar to those described in paragraph (a) of this subsection in other ju-
16 risdictions.

17 (c) Identify inefficiencies and inconsistencies in application of the public records law that im-
18 pede transparency in public process and government.

19 (d) Make recommendations on changes in law, policy or practice that could enhance transpar-
20 ency in public process and government, and facilitate rapid dissemination of public records to re-
21 questers.

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

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

28 *[(2)]* **(3)** No later than December 1 of each even-numbered year, the council shall submit to the
29 Governor, and to the Legislative Assembly in the manner provided by ORS 192.245, a report that
30 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.

1 mendations for legislation.

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

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

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