



Open Government Impact Statement

82nd Oregon Legislative Assembly
2023 Regular Session

Measure: SB 177

Only impacts on Original or Engrossed
Versions are Considered Official

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SUMMARY

Requires state agencies to produce materials relevant to audits conducted by Secretary of State. Provides that production of confidential or privileged material does not constitute waiver of confidentiality or privilege. Prohibits Secretary of State from using or disclosing confidential or privileged materials for any purpose except to carry out certain statutory duties. Specifies circumstances in which confidential or privileged information may be included in audit reports.

OPEN GOVERNMENT IMPACT

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

This measure prohibits the office of the Secretary of State from disclosing confidential or privileged materials received as part of an audit being conducted by the Secretary of State. It also provides that if the office of the Secretary of State receives a public records request seeking audit materials, it will release only the final audit report and any related work papers that are not exempt from public disclosure. The remainder of the public records request will then be referred to the relevant state agency as a new public records request.

If the public records were instead subject to mandatory disclosure under public records law, the public could receive confidential and privileged materials that have been received by the office of the Secretary of State in conducting an audit.