

SB 510 STAFF MEASURE SUMMARY

Senate Committee On Rules

Action Date: 02/21/23

Action: Do pass and requesting referral to Ways and Means.

Vote: 4-0-1-0

Yeas: 4 - Knopp, Lieber, Manning Jr, Steiner

Exc: 1 - Hansell

Fiscal: Fiscal impact issued

Revenue: No revenue impact

Prepared By: Leslie Porter, LPRO Analyst

Meeting Dates: 2/7, 2/21

WHAT THE MEASURE DOES:

Directs Public Records Advocate (PRA) to estimate biennial costs to carry out duties on or before January 1 preceding start of a biennium, and report to Oregon Department of Administrative Services and Legislative Fiscal Officer. Directs PRA to assess costs to each public body of state government and requires each body to pay costs assessed. Credits assessments to Public Records Advocate Fund. Directs PRA to adopt rules establishing methods for allocating and collecting assessments. Takes effect on 91st day following adjournment sine die.

ISSUES DISCUSSED:

- The need for continued independence and continued funding for the Office of the Public Records Advocate
- The similar assessment model used by Department of Administrative Services and the Oregon Government Ethics Commission
- The potential unintended consequences of creating an unfunded mandate
- Clarification for what "lowest paid employee" means, and its applicability

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The office of the Public Records Advocate (PRA) was created by Senate Bill 106 (2017). It is an "independent office within the executive department, separate and distinct from any other state agency" (ORS 192.461). The PRA is appointed by the Public Records Advisory Council (ORS 192.481) for a term of four years and may be reappointed to consecutive terms. The PRA appoints a Deputy, to whom the PRA may delegate authority. The PRA and the Deputy must be in good standing with the Oregon State Bar.

The PRA provides facilitated dispute resolution services between public records requesters and custodians, when requested; provides trainings to state agencies and local governments about requirements and best practices for processing and responding to public records requests; and is a voting member of the Public Records Advisory Council.

Senate Bill 510 directs the Public Records Advocate to estimate its biennial costs to carry out its duties on or before January 1 preceding the start of a biennium, and to assess those costs to public bodies in state government.