

This bill has received an Open Government Impact Statement, meaning it will change current law around public records.

When considering this bill Oregon Sunshine Committee recommends you take into account the following considerations:

Please consider whether this new exemption to public records is truly necessary.

There are already more than 600 exemptions to public records in Oregon law. The Oregon Sunshine Committee is tasked with reviewing these exemptions and making recommendations on how to make public records more accessible. Adding more exemptions not only makes that work more cumbersome but also undermines the principle of open government that underlies our public records framework.

To the extent that the subject of this bill requires certain information to be exempt from public inspection, please consider using one of the pre-existing public records exemptions instead of creating a new one.

There is likely already an exemption that covers the topic being discussed in the proposed bill. Citing reference to current law will reduce confusion for record holders and record seekers as they navigate the many pre-existing public records exemptions. The existing public records exemptions catalog can be found here: <https://justice.oregon.gov/PublicRecordsExemptions/>

If a new exemption must be created, please consider a public interest balancing test.

Public interest balancing tests allow records that should not be freely available to the public to still be released in cases where there is a specific reason why the specific record being requested should be released. This is often to a reporter or public interest organization that is doing the work of holding government agencies accountable to their mission.

Finally, the Sunshine Committee has already made recommendations regarding numerous categories of public records. Please peruse our recommendations to see if the public record exemption in question has already been discussed. They can be found here: <https://www.doj.state.or.us/wp-content/uploads/2026/01/Combined-Reports-of-the-Oregon-Sunshine-Committee.pdf>