

**PROPOSED AMENDMENTS TO
A-ENGROSSED HOUSE BILL 4045**

1 In line 2 of the printed A-engrossed bill, after the semicolon delete the
2 rest of the line and delete line 3 and insert “creating new provisions; and
3 amending ORS 192.501.”.

4 Delete lines 5 through 23 and insert:

5 **“SECTION 1. (1) A public body may not disclose records or infor-**
6 **mation that identifies a person as a current or former holder of, or**
7 **applicant for, a concealed handgun license, unless:**

8 **“(a) The disclosure is made to another public body and is necessary**
9 **for criminal justice purposes;**

10 **“(b) A court enters an order in a criminal or civil case directing the**
11 **public body to disclose the records or information;**

12 **“(c) The holder of, or applicant for, the concealed handgun license**
13 **consents to the disclosure; or**

14 **“(d) The provisions of ORS 192.501 (37) require the disclosure of the**
15 **name, age and county of residence of the concealed handgun license**
16 **holder or applicant.**

17 **“(2) The prohibition described in subsection (1) of this section does**
18 **not apply to the Judicial Department.**

19 **“(3) As used in this section, ‘public body’ has the meaning given**
20 **that term in ORS 192.410.**

21 **“SECTION 2. ORS 192.501 is amended to read:**

22 **“192.501. The following public records are exempt from disclosure under**

1 ORS 192.410 to 192.505 unless the public interest requires disclosure in the
2 particular instance:

3 “(1) Records of a public body pertaining to litigation to which the public
4 body is a party if the complaint has been filed, or if the complaint has not
5 been filed, if the public body shows that such litigation is reasonably likely
6 to occur. This exemption does not apply to litigation which has been con-
7 cluded, and nothing in this subsection shall limit any right or opportunity
8 granted by discovery or deposition statutes to a party to litigation or po-
9 tential litigation.

10 “(2) Trade secrets. ‘Trade secrets,’ as used in this section, may include,
11 but are not limited to, any formula, plan, pattern, process, tool, mechanism,
12 compound, procedure, production data, or compilation of information which
13 is not patented, which is known only to certain individuals within an or-
14 ganization and which is used in a business it conducts, having actual or
15 potential commercial value, and which gives its user an opportunity to ob-
16 tain a business advantage over competitors who do not know or use it.

17 “(3) Investigatory information compiled for criminal law purposes. The
18 record of an arrest or the report of a crime shall be disclosed unless and only
19 for so long as there is a clear need to delay disclosure in the course of a
20 specific investigation, including the need to protect the complaining party
21 or the victim. Nothing in this subsection shall limit any right constitu-
22 tionally guaranteed, or granted by statute, to disclosure or discovery in
23 criminal cases. For purposes of this subsection, the record of an arrest or the
24 report of a crime includes, but is not limited to:

25 “(a) The arrested person’s name, age, residence, employment, marital sta-
26 tus and similar biographical information;

27 “(b) The offense with which the arrested person is charged;

28 “(c) The conditions of release pursuant to ORS 135.230 to 135.290;

29 “(d) The identity of and biographical information concerning both com-
30 plaining party and victim;

1 “(e) The identity of the investigating and arresting agency and the length
2 of the investigation;

3 “(f) The circumstances of arrest, including time, place, resistance, pursuit
4 and weapons used; and

5 “(g) Such information as may be necessary to enlist public assistance in
6 apprehending fugitives from justice.

7 “(4) Test questions, scoring keys, and other data used to administer a li-
8 censing examination, employment, academic or other examination or testing
9 procedure before the examination is given and if the examination is to be
10 used again. Records establishing procedures for and instructing persons ad-
11 ministering, grading or evaluating an examination or testing procedure are
12 included in this exemption, to the extent that disclosure would create a risk
13 that the result might be affected.

14 “(5) Information consisting of production records, sale or purchase records
15 or catch records, or similar business records of a private concern or enter-
16 prise, required by law to be submitted to or inspected by a governmental
17 body to allow it to determine fees or assessments payable or to establish
18 production quotas, and the amounts of such fees or assessments payable or
19 paid, to the extent that such information is in a form which would permit
20 identification of the individual concern or enterprise. This exemption does
21 not include records submitted by long term care facilities as defined in ORS
22 442.015 to the state for purposes of reimbursement of expenses or determining
23 fees for patient care. Nothing in this subsection shall limit the use which
24 can be made of such information for regulatory purposes or its admissibility
25 in any enforcement proceeding.

26 “(6) Information relating to the appraisal of real estate prior to its ac-
27 quisition.

28 “(7) The names and signatures of employees who sign authorization cards
29 or petitions for the purpose of requesting representation or decertification
30 elections.

1 “(8) Investigatory information relating to any complaint filed under ORS
2 659A.820 or 659A.825, until such time as the complaint is resolved under ORS
3 659A.835, or a final order is issued under ORS 659A.850.

4 “(9) Investigatory information relating to any complaint or charge filed
5 under ORS 243.676 and 663.180.

6 “(10) Records, reports and other information received or compiled by the
7 Director of the Department of Consumer and Business Services under ORS
8 697.732.

9 “(11) Information concerning the location of archaeological sites or ob-
10 jects as those terms are defined in ORS 358.905, except if the governing body
11 of an Indian tribe requests the information and the need for the information
12 is related to that Indian tribe’s cultural or religious activities. This ex-
13 emption does not include information relating to a site that is all or part
14 of an existing, commonly known and publicized tourist facility or attraction.

15 “(12) A personnel discipline action, or materials or documents supporting
16 that action.

17 “(13) Information developed pursuant to ORS 496.004, 496.172 and 498.026
18 or ORS 496.192 and 564.100, regarding the habitat, location or population of
19 any threatened species or endangered species.

20 “(14) Writings prepared by or under the direction of faculty of public ed-
21 ucational institutions, in connection with research, until publicly released,
22 copyrighted or patented.

23 “(15) Computer programs developed or purchased by or for any public
24 body for its own use. As used in this subsection, ‘computer program’ means
25 a series of instructions or statements which permit the functioning of a
26 computer system in a manner designed to provide storage, retrieval and ma-
27 nipulation of data from such computer system, and any associated documen-
28 tation and source material that explain how to operate the computer
29 program. ‘Computer program’ does not include:

30 “(a) The original data, including but not limited to numbers, text, voice,

1 graphics and images;

2 “(b) Analyses, compilations and other manipulated forms of the original
3 data produced by use of the program; or

4 “(c) The mathematical and statistical formulas which would be used if the
5 manipulated forms of the original data were to be produced manually.

6 “(16) Data and information provided by participants to mediation under
7 ORS 36.256.

8 “(17) Investigatory information relating to any complaint or charge filed
9 under ORS chapter 654, until a final administrative determination is made
10 or, if a citation is issued, until an employer receives notice of any citation.

11 “(18) Specific operational plans in connection with an anticipated threat
12 to individual or public safety for deployment and use of personnel and
13 equipment, prepared or used by a public body, if public disclosure of the
14 plans would endanger an individual’s life or physical safety or jeopardize a
15 law enforcement activity.

16 “(19)(a) Audits or audit reports required of a telecommunications carrier.
17 As used in this paragraph, ‘audit or audit report’ means any external or
18 internal audit or audit report pertaining to a telecommunications carrier, as
19 defined in ORS 133.721, or pertaining to a corporation having an affiliated
20 interest, as defined in ORS 759.390, with a telecommunications carrier that
21 is intended to make the operations of the entity more efficient, accurate or
22 compliant with applicable rules, procedures or standards, that may include
23 self-criticism and that has been filed by the telecommunications carrier or
24 affiliate under compulsion of state law. ‘Audit or audit report’ does not mean
25 an audit of a cost study that would be discoverable in a contested case pro-
26 ceeding and that is not subject to a protective order; and

27 “(b) Financial statements. As used in this paragraph, ‘financial
28 statement’ means a financial statement of a nonregulated corporation having
29 an affiliated interest, as defined in ORS 759.390, with a telecommunications
30 carrier, as defined in ORS 133.721.

1 “(20) The residence address of an elector if authorized under ORS 247.965
2 and subject to ORS 247.967.

3 “(21) The following records, communications and information submitted
4 to a housing authority as defined in ORS 456.005, or to an urban renewal
5 agency as defined in ORS 457.010, by applicants for and recipients of loans,
6 grants and tax credits:

7 “(a) Personal and corporate financial statements and information, in-
8 cluding tax returns;

9 “(b) Credit reports;

10 “(c) Project appraisals;

11 “(d) Market studies and analyses;

12 “(e) Articles of incorporation, partnership agreements and operating
13 agreements;

14 “(f) Commitment letters;

15 “(g) Project pro forma statements;

16 “(h) Project cost certifications and cost data;

17 “(i) Audits;

18 “(j) Project tenant correspondence requested to be confidential;

19 “(k) Tenant files relating to certification; and

20 “(L) Housing assistance payment requests.

21 “(22) Records or information that, if disclosed, would allow a person to:

22 “(a) Gain unauthorized access to buildings or other property;

23 “(b) Identify those areas of structural or operational vulnerability that
24 would permit unlawful disruption to, or interference with, services; or

25 “(c) Disrupt, interfere with or gain unauthorized access to public funds
26 or to information processing, communication or telecommunication systems,
27 including the information contained in the systems, that are used or operated
28 by a public body.

29 “(23) Records or information that would reveal or otherwise identify se-
30 curity measures, or weaknesses or potential weaknesses in security measures,

1 taken or recommended to be taken to protect:

2 “(a) An individual;

3 “(b) Buildings or other property;

4 “(c) Information processing, communication or telecommunication sys-
5 tems, including the information contained in the systems; or

6 “(d) Those operations of the Oregon State Lottery the security of which
7 are subject to study and evaluation under ORS 461.180 (6).

8 “(24) Personal information held by or under the direction of officials of
9 the Oregon Health and Science University or the Oregon University System
10 about a person who has or who is interested in donating money or property
11 to the university, the system or a public university listed in ORS 352.002, if
12 the information is related to the family of the person, personal assets of the
13 person or is incidental information not related to the donation.

14 “(25) The home address, professional address and telephone number of a
15 person who has or who is interested in donating money or property to the
16 Oregon University System.

17 “(26) Records of the name and address of a person who files a report with
18 or pays an assessment to a commodity commission established under ORS
19 576.051 to 576.455, the Oregon Beef Council created under ORS 577.210 or the
20 Oregon Wheat Commission created under ORS 578.030.

21 “(27) Information provided to, obtained by or used by a public body to
22 authorize, originate, receive or authenticate a transfer of funds, including
23 but not limited to a credit card number, payment card expiration date,
24 password, financial institution account number and financial institution
25 routing number.

26 “(28) Social Security numbers as provided in ORS 107.840.

27 “(29) The electronic mail address of a student who attends a public uni-
28 versity listed in ORS 352.002 or Oregon Health and Science University.

29 “(30) The name, home address, professional address or location of a person
30 that is engaged in, or that provides goods or services for, medical research

1 at Oregon Health and Science University that is conducted using animals
2 other than rodents. This subsection does not apply to Oregon Health and
3 Science University press releases, websites or other publications circulated
4 to the general public.

5 “(31) If requested by a public safety officer, as defined in ORS 181.610:

6 “(a) The home address and home telephone number of the public safety
7 officer contained in the voter registration records for the public safety offi-
8 cer.

9 “(b) The home address and home telephone number of the public safety
10 officer contained in records of the Department of Public Safety Standards
11 and Training.

12 “(c) The name of the public safety officer contained in county real prop-
13 erty assessment or taxation records. This exemption:

14 “(A) Applies only to the name of the public safety officer and any other
15 owner of the property in connection with a specific property identified by the
16 officer in a request for exemption from disclosure;

17 “(B) Applies only to records that may be made immediately available to
18 the public upon request in person, by telephone or using the Internet;

19 “(C) Applies until the public safety officer requests termination of the
20 exemption;

21 “(D) Does not apply to disclosure of records among public bodies as de-
22 fined in ORS 174.109 for governmental purposes; and

23 “(E) May not result in liability for the county if the name of the public
24 safety officer is disclosed after a request for exemption from disclosure is
25 made under this subsection.

26 “(32) Unless the public records request is made by a financial institution,
27 as defined in ORS 706.008, consumer finance company licensed under ORS
28 chapter 725, mortgage banker or mortgage broker licensed under ORS
29 86A.095 to 86A.198, or title company for business purposes, records described
30 in paragraph (a) of this subsection, if the exemption from disclosure of the

1 records is sought by an individual described in paragraph (b) of this sub-
2 section using the procedure described in paragraph (c) of this subsection:

3 “(a) The home address, home or cellular telephone number or personal
4 electronic mail address contained in the records of any public body that has
5 received the request that is set forth in:

6 “(A) A warranty deed, deed of trust, mortgage, lien, deed of reconveyance,
7 release, satisfaction, substitution of trustee, easement, dog license, marriage
8 license or military discharge record that is in the possession of the county
9 clerk; or

10 “(B) Any public record of a public body other than the county clerk.

11 “(b) The individual claiming the exemption from disclosure must be a
12 district attorney, a deputy district attorney, the Attorney General or an as-
13 sistant attorney general, the United States Attorney for the District of
14 Oregon or an assistant United States attorney for the District of Oregon, a
15 city attorney who engages in the prosecution of criminal matters or a deputy
16 city attorney who engages in the prosecution of criminal matters.

17 “(c) The individual claiming the exemption from disclosure must do so by
18 filing the claim in writing with the public body for which the exemption from
19 disclosure is being claimed on a form prescribed by the public body. Unless
20 the claim is filed with the county clerk, the claim form shall list the public
21 records in the possession of the public body to which the exemption applies.
22 The exemption applies until the individual claiming the exemption requests
23 termination of the exemption or ceases to qualify for the exemption.

24 “(33) Land management plans required for voluntary stewardship agree-
25 ments entered into under ORS 541.423.

26 “(34) Sensitive business records or financial or commercial information
27 of the State Accident Insurance Fund Corporation that is not customarily
28 provided to business competitors. This exemption does not:

29 “(a) Apply to the formulas for determining dividends to be paid to em-
30 ployers insured by the State Accident Insurance Fund Corporation;

1 “(b) Apply to contracts for advertising, public relations or lobbying ser-
2 vices or to documents related to the formation of such contracts;

3 “(c) Apply to group insurance contracts or to documents relating to the
4 formation of such contracts, except that employer account records shall re-
5 main exempt from disclosure as provided in ORS 192.502 (35); or

6 “(d) Provide the basis for opposing the discovery of documents in liti-
7 gation pursuant to the applicable rules of civil procedure.

8 “(35) Records of the Department of Public Safety Standards and Training
9 relating to investigations conducted under ORS 181.662 or 181.878 (6), until
10 the department issues the report described in ORS 181.662 or 181.878.

11 “(36) A medical examiner’s report, autopsy report or laboratory test report
12 ordered by a medical examiner under ORS 146.117.

13 **“(37) Records or information that identifies a person as a current**
14 **or former holder of, or applicant for, a concealed handgun license is-**
15 **sued under ORS 166.291 and 166.292. If the public interest requires dis-**
16 **closure in the particular instance, the disclosure shall be limited, in**
17 **accordance with section 1 (1)(d) of this 2012 Act, to the name, age and**
18 **county of residence of the concealed handgun license holder or appli-**
19 **cant.**

20 “[37)] **(38)** Any document or other information related to an audit of a
21 public body, as defined in ORS 174.109, that is in the custody of an auditor
22 or audit organization operating under nationally recognized government au-
23 diting standards, until the auditor or audit organization issues a final audit
24 report in accordance with those standards or the audit is abandoned. This
25 exemption does not prohibit disclosure of a draft audit report that is pro-
26 vided to the audited entity for the entity’s response to the audit findings.

27 **“SECTION 3.** ORS 192.501, as amended by section 3, chapter 455, Oregon
28 Laws 2005, section 7, chapter 608, Oregon Laws 2007, section 2, chapter 687,
29 Oregon Laws 2007, section 2, chapter 48, Oregon Laws 2008, section 3, chap-
30 ter 57, Oregon Laws 2009, section 2, chapter 135, Oregon Laws 2009, section

1 4, chapter 222, Oregon Laws 2009, section 2, chapter 769, Oregon Laws 2009,
2 section 15, chapter 9, Oregon Laws 2011, section 2, chapter 285, Oregon Laws
3 2011, and section 69, chapter 637, Oregon Laws 2011, is amended to read:

4 “192.501. The following public records are exempt from disclosure under
5 ORS 192.410 to 192.505 unless the public interest requires disclosure in the
6 particular instance:

7 “(1) Records of a public body pertaining to litigation to which the public
8 body is a party if the complaint has been filed, or if the complaint has not
9 been filed, if the public body shows that such litigation is reasonably likely
10 to occur. This exemption does not apply to litigation which has been con-
11 cluded, and nothing in this subsection shall limit any right or opportunity
12 granted by discovery or deposition statutes to a party to litigation or po-
13 tential litigation.

14 “(2) Trade secrets. ‘Trade secrets,’ as used in this section, may include,
15 but are not limited to, any formula, plan, pattern, process, tool, mechanism,
16 compound, procedure, production data, or compilation of information which
17 is not patented, which is known only to certain individuals within an or-
18 ganization and which is used in a business it conducts, having actual or
19 potential commercial value, and which gives its user an opportunity to ob-
20 tain a business advantage over competitors who do not know or use it.

21 “(3) Investigatory information compiled for criminal law purposes. The
22 record of an arrest or the report of a crime shall be disclosed unless and only
23 for so long as there is a clear need to delay disclosure in the course of a
24 specific investigation, including the need to protect the complaining party
25 or the victim. Nothing in this subsection shall limit any right constitu-
26 tionally guaranteed, or granted by statute, to disclosure or discovery in
27 criminal cases. For purposes of this subsection, the record of an arrest or the
28 report of a crime includes, but is not limited to:

29 “(a) The arrested person’s name, age, residence, employment, marital sta-
30 tus and similar biographical information;

1 “(b) The offense with which the arrested person is charged;

2 “(c) The conditions of release pursuant to ORS 135.230 to 135.290;

3 “(d) The identity of and biographical information concerning both com-
4 plaining party and victim;

5 “(e) The identity of the investigating and arresting agency and the length
6 of the investigation;

7 “(f) The circumstances of arrest, including time, place, resistance, pursuit
8 and weapons used; and

9 “(g) Such information as may be necessary to enlist public assistance in
10 apprehending fugitives from justice.

11 “(4) Test questions, scoring keys, and other data used to administer a li-
12 censing examination, employment, academic or other examination or testing
13 procedure before the examination is given and if the examination is to be
14 used again. Records establishing procedures for and instructing persons ad-
15 ministering, grading or evaluating an examination or testing procedure are
16 included in this exemption, to the extent that disclosure would create a risk
17 that the result might be affected.

18 “(5) Information consisting of production records, sale or purchase records
19 or catch records, or similar business records of a private concern or enter-
20 prise, required by law to be submitted to or inspected by a governmental
21 body to allow it to determine fees or assessments payable or to establish
22 production quotas, and the amounts of such fees or assessments payable or
23 paid, to the extent that such information is in a form which would permit
24 identification of the individual concern or enterprise. This exemption does
25 not include records submitted by long term care facilities as defined in ORS
26 442.015 to the state for purposes of reimbursement of expenses or determining
27 fees for patient care. Nothing in this subsection shall limit the use which
28 can be made of such information for regulatory purposes or its admissibility
29 in any enforcement proceeding.

30 “(6) Information relating to the appraisal of real estate prior to its ac-

1 quisation.

2 “(7) The names and signatures of employees who sign authorization cards
3 or petitions for the purpose of requesting representation or decertification
4 elections.

5 “(8) Investigatory information relating to any complaint filed under ORS
6 659A.820 or 659A.825, until such time as the complaint is resolved under ORS
7 659A.835, or a final order is issued under ORS 659A.850.

8 “(9) Investigatory information relating to any complaint or charge filed
9 under ORS 243.676 and 663.180.

10 “(10) Records, reports and other information received or compiled by the
11 Director of the Department of Consumer and Business Services under ORS
12 697.732.

13 “(11) Information concerning the location of archaeological sites or ob-
14 jects as those terms are defined in ORS 358.905, except if the governing body
15 of an Indian tribe requests the information and the need for the information
16 is related to that Indian tribe’s cultural or religious activities. This ex-
17 emption does not include information relating to a site that is all or part
18 of an existing, commonly known and publicized tourist facility or attraction.

19 “(12) A personnel discipline action, or materials or documents supporting
20 that action.

21 “(13) Information developed pursuant to ORS 496.004, 496.172 and 498.026
22 or ORS 496.192 and 564.100, regarding the habitat, location or population of
23 any threatened species or endangered species.

24 “(14) Writings prepared by or under the direction of faculty of public ed-
25 ucational institutions, in connection with research, until publicly released,
26 copyrighted or patented.

27 “(15) Computer programs developed or purchased by or for any public
28 body for its own use. As used in this subsection, ‘computer program’ means
29 a series of instructions or statements which permit the functioning of a
30 computer system in a manner designed to provide storage, retrieval and ma-

1 nipulation of data from such computer system, and any associated documen-
2 tation and source material that explain how to operate the computer
3 program. 'Computer program' does not include:

4 "(a) The original data, including but not limited to numbers, text, voice,
5 graphics and images;

6 "(b) Analyses, compilations and other manipulated forms of the original
7 data produced by use of the program; or

8 "(c) The mathematical and statistical formulas which would be used if the
9 manipulated forms of the original data were to be produced manually.

10 "(16) Data and information provided by participants to mediation under
11 ORS 36.256.

12 "(17) Investigatory information relating to any complaint or charge filed
13 under ORS chapter 654, until a final administrative determination is made
14 or, if a citation is issued, until an employer receives notice of any citation.

15 "(18) Specific operational plans in connection with an anticipated threat
16 to individual or public safety for deployment and use of personnel and
17 equipment, prepared or used by a public body, if public disclosure of the
18 plans would endanger an individual's life or physical safety or jeopardize a
19 law enforcement activity.

20 "(19)(a) Audits or audit reports required of a telecommunications carrier.
21 As used in this paragraph, 'audit or audit report' means any external or
22 internal audit or audit report pertaining to a telecommunications carrier, as
23 defined in ORS 133.721, or pertaining to a corporation having an affiliated
24 interest, as defined in ORS 759.390, with a telecommunications carrier that
25 is intended to make the operations of the entity more efficient, accurate or
26 compliant with applicable rules, procedures or standards, that may include
27 self-criticism and that has been filed by the telecommunications carrier or
28 affiliate under compulsion of state law. 'Audit or audit report' does not mean
29 an audit of a cost study that would be discoverable in a contested case pro-
30 ceeding and that is not subject to a protective order; and

1 “(b) Financial statements. As used in this paragraph, ‘financial
2 statement’ means a financial statement of a nonregulated corporation having
3 an affiliated interest, as defined in ORS 759.390, with a telecommunications
4 carrier, as defined in ORS 133.721.

5 “(20) The residence address of an elector if authorized under ORS 247.965
6 and subject to ORS 247.967.

7 “(21) The following records, communications and information submitted
8 to a housing authority as defined in ORS 456.005, or to an urban renewal
9 agency as defined in ORS 457.010, by applicants for and recipients of loans,
10 grants and tax credits:

11 “(a) Personal and corporate financial statements and information, in-
12 cluding tax returns;

13 “(b) Credit reports;

14 “(c) Project appraisals;

15 “(d) Market studies and analyses;

16 “(e) Articles of incorporation, partnership agreements and operating
17 agreements;

18 “(f) Commitment letters;

19 “(g) Project pro forma statements;

20 “(h) Project cost certifications and cost data;

21 “(i) Audits;

22 “(j) Project tenant correspondence requested to be confidential;

23 “(k) Tenant files relating to certification; and

24 “(L) Housing assistance payment requests.

25 “(22) Records or information that, if disclosed, would allow a person to:

26 “(a) Gain unauthorized access to buildings or other property;

27 “(b) Identify those areas of structural or operational vulnerability that
28 would permit unlawful disruption to, or interference with, services; or

29 “(c) Disrupt, interfere with or gain unauthorized access to public funds
30 or to information processing, communication or telecommunication systems,

1 including the information contained in the systems, that are used or operated
2 by a public body.

3 “(23) Records or information that would reveal or otherwise identify se-
4 curity measures, or weaknesses or potential weaknesses in security measures,
5 taken or recommended to be taken to protect:

6 “(a) An individual;

7 “(b) Buildings or other property;

8 “(c) Information processing, communication or telecommunication sys-
9 tems, including the information contained in the systems; or

10 “(d) Those operations of the Oregon State Lottery the security of which
11 are subject to study and evaluation under ORS 461.180 (6).

12 “(24) Personal information held by or under the direction of officials of
13 the Oregon Health and Science University or the Oregon University System
14 about a person who has or who is interested in donating money or property
15 to the university, the system or a public university listed in ORS 352.002, if
16 the information is related to the family of the person, personal assets of the
17 person or is incidental information not related to the donation.

18 “(25) The home address, professional address and telephone number of a
19 person who has or who is interested in donating money or property to the
20 Oregon University System.

21 “(26) Records of the name and address of a person who files a report with
22 or pays an assessment to a commodity commission established under ORS
23 576.051 to 576.455, the Oregon Beef Council created under ORS 577.210 or the
24 Oregon Wheat Commission created under ORS 578.030.

25 “(27) Information provided to, obtained by or used by a public body to
26 authorize, originate, receive or authenticate a transfer of funds, including
27 but not limited to a credit card number, payment card expiration date,
28 password, financial institution account number and financial institution
29 routing number.

30 “(28) Social Security numbers as provided in ORS 107.840.

1 “(29) The electronic mail address of a student who attends a public uni-
2 versity listed in ORS 352.002 or Oregon Health and Science University.

3 “(30) If requested by a public safety officer, as defined in ORS 181.610:

4 “(a) The home address and home telephone number of the public safety
5 officer contained in the voter registration records for the public safety offi-
6 cer.

7 “(b) The home address and home telephone number of the public safety
8 officer contained in records of the Department of Public Safety Standards
9 and Training.

10 “(c) The name of the public safety officer contained in county real prop-
11 erty assessment or taxation records. This exemption:

12 “(A) Applies only to the name of the public safety officer and any other
13 owner of the property in connection with a specific property identified by the
14 officer in a request for exemption from disclosure;

15 “(B) Applies only to records that may be made immediately available to
16 the public upon request in person, by telephone or using the Internet;

17 “(C) Applies until the public safety officer requests termination of the
18 exemption;

19 “(D) Does not apply to disclosure of records among public bodies as de-
20 fined in ORS 174.109 for governmental purposes; and

21 “(E) May not result in liability for the county if the name of the public
22 safety officer is disclosed after a request for exemption from disclosure is
23 made under this subsection.

24 “(31) Unless the public records request is made by a financial institution,
25 as defined in ORS 706.008, consumer finance company licensed under ORS
26 chapter 725, mortgage banker or mortgage broker licensed under ORS
27 86A.095 to 86A.198, or title company for business purposes, records described
28 in paragraph (a) of this subsection, if the exemption from disclosure of the
29 records is sought by an individual described in paragraph (b) of this sub-
30 section using the procedure described in paragraph (c) of this subsection:

1 “(a) The home address, home or cellular telephone number or personal
2 electronic mail address contained in the records of any public body that has
3 received the request that is set forth in:

4 “(A) A warranty deed, deed of trust, mortgage, lien, deed of reconveyance,
5 release, satisfaction, substitution of trustee, easement, dog license, marriage
6 license or military discharge record that is in the possession of the county
7 clerk; or

8 “(B) Any public record of a public body other than the county clerk.

9 “(b) The individual claiming the exemption from disclosure must be a
10 district attorney, a deputy district attorney, the Attorney General or an as-
11 sistant attorney general, the United States Attorney for the District of
12 Oregon or an assistant United States attorney for the District of Oregon, a
13 city attorney who engages in the prosecution of criminal matters or a deputy
14 city attorney who engages in the prosecution of criminal matters.

15 “(c) The individual claiming the exemption from disclosure must do so by
16 filing the claim in writing with the public body for which the exemption from
17 disclosure is being claimed on a form prescribed by the public body. Unless
18 the claim is filed with the county clerk, the claim form shall list the public
19 records in the possession of the public body to which the exemption applies.
20 The exemption applies until the individual claiming the exemption requests
21 termination of the exemption or ceases to qualify for the exemption.

22 “(32) Land management plans required for voluntary stewardship agree-
23 ments entered into under ORS 541.423.

24 “(33) Sensitive business records or financial or commercial information
25 of the State Accident Insurance Fund Corporation that is not customarily
26 provided to business competitors. This exemption does not:

27 “(a) Apply to the formulas for determining dividends to be paid to em-
28 ployers insured by the State Accident Insurance Fund Corporation;

29 “(b) Apply to contracts for advertising, public relations or lobbying ser-
30 vices or to documents related to the formation of such contracts;

1 “(c) Apply to group insurance contracts or to documents relating to the
2 formation of such contracts, except that employer account records shall re-
3 main exempt from disclosure as provided in ORS 192.502 (35); or

4 “(d) Provide the basis for opposing the discovery of documents in liti-
5 gation pursuant to the applicable rules of civil procedure.

6 “(34) Records of the Department of Public Safety Standards and Training
7 relating to investigations conducted under ORS 181.662 or 181.878 (6), until
8 the department issues the report described in ORS 181.662 or 181.878.

9 “(35) A medical examiner’s report, autopsy report or laboratory test report
10 ordered by a medical examiner under ORS 146.117.

11 “(36) Any document or other information related to an audit of a public
12 body, as defined in ORS 174.109, that is in the custody of an auditor or audit
13 organization operating under nationally recognized government auditing
14 standards, until the auditor or audit organization issues a final audit report
15 in accordance with those standards or the audit is abandoned. This ex-
16 emption does not prohibit disclosure of a draft audit report that is provided
17 to the audited entity for the entity’s response to the audit findings.

18 **“(37) Records or information that identifies a person as a current**
19 **or former holder of, or applicant for, a concealed handgun license is-**
20 **sued under ORS 166.291 and 166.292. If the public interest requires dis-**
21 **closure in the particular instance, the disclosure shall be limited, in**
22 **accordance with section 1 (1)(d) of this 2012 Act, to the name, age and**
23 **county of residence of the concealed handgun license holder or appli-**
24 **cant.”.**