



Open Government Impact Statement

81st Oregon Legislative Assembly
2021 Regular Session

Measure: HB 2540

Only impacts on Original or Engrossed
Versions are Considered Official

Prepared by: Cameron D. Miles
Date: 1/29/2021

SUMMARY

Prohibits abortion unless health care provider has first determined probable gestational age of unborn child, except in case of medical emergency. Defines "abortion" and "health care provider." Prohibits abortion of unborn child with probable gestational age of 20 or more weeks, except in case of medical emergency. Allows specified persons to bring action against health care provider for violations. Requires health care provider who performs or induces, or attempts to perform or induce, abortion to file report with Oregon Health Authority. Requires authority to publish annually statistics relating to abortion. Allows specified persons to bring cause of action for actual and punitive damages and injunctive relief against health care provider for violation.

Takes effect on 91st day following adjournment sine die.

OPEN GOVERNMENT IMPACT

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

This measure exempts from public disclosure the report that health care providers submit to the Oregon Health Authority regarding an abortion that was performed or attempted to be performed. This measure also allows the court to exempt from public disclosure the identity or any personally identifiable information of a person upon whom an abortion was performed or attempted to be performed in violation of the measure.

If the public records were instead subject to mandatory disclosure under public records law, the public could learn additional information regarding abortions that were performed or attempted to be performed and the identity and personally identifiable information of persons upon whom an abortion was performed or attempted to be performed in violation of the measure.