



Open Government Impact Statement

81st Oregon Legislative Assembly
2021 Regular Session

Measure: HB 3265 - B

Only impacts on Original or Engrossed
Versions are Considered Official

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SUMMARY

Prohibits law enforcement agency or public body from denying services, benefits, privileges or opportunities to certain individuals on basis of federal civil immigration actions, inquiring about individual's citizenship status without connection to criminal investigation or providing information about individual in custody to federal immigration authority. Requires law enforcement agency to explain to individual committed or detained by law enforcement agency individual's right to refuse to disclose nationality, citizenship or immigration status and potential immigration consequences of refusal to disclose.

Prohibits use of public resources to assist federal immigration enforcement. Requires public body that receives communication or request for assistance from federal immigration authority to report request or communication to Oregon Criminal Justice Commission. Requires commission to continually publish reports of communications and requests received by public bodies. Requires Department of Justice to establish mechanism to receive reports of certain violations.

Prohibits public body, law enforcement agency or officer from entering into specified agreements related to federal immigration enforcement.

Allows any person to bring action to enjoin law enforcement agency or public body from providing certain information to federal immigration authority, using agency resources to enforce immigration laws or failing to comply with other requirements.

Declares emergency, effective on passage.

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 information that may reveal the identity of an individual involved in a communication or request from a federal agency that relates to immigration enforcement or of an individual involved in an incident that results in a sanctuary violation report.

If those public records that could be subject to public disclosure were instead subject to mandatory disclosure under public records law, the public could receive information revealing the identity of individuals involved in communications or requests from federal agencies relating to immigration enforcement and individuals involved in incidents that result in the filing of sanctuary violation reports.