

HB 2806 -2 STAFF MEASURE SUMMARY

House Committee On Emergency Management, General Government, and Veterans

Prepared By: Patrick Brennan, LPRO Analyst

Meeting Dates: 2/14, 3/14

WHAT THE MEASURE DOES:

Authorizes the governing body of a public body to meet in executive session to consider matters relating to the safety of the governing body, staff and volunteers of the public body, the security of public body facilities and meeting spaces, and cybersecurity infrastructure and responses to cybersecurity threats. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Need to conduct security discussions in less public setting
- Typical uses of executive sessions
- Applicability to emergency operations discussions

EFFECT OF AMENDMENT:

-2 Deletes "rules adopted under" in reference to ORS 441/015 to 441.087 with regard to consideration of matters pertaining to the function of the medical staff of a licensed public hospital.

FIS: Minimal fiscal impact on measure w/the -2 amendment

RIS: No revenue impact on measure w/the -2 amendment

BACKGROUND:

Oregon law provides that governing bodies of a public body must make meetings open to the public when a quorum of the body meets to discuss or deliberate on issues under the public body's purview. However, under circumstances, a public body may meet in executive session, in which the general public is not allowed to attend, though typically the media is permitted to cover the proceedings. An executive session may be called during most types of meetings, and still require providing proper and adequate public notice, which are the same as for regular meetings of the public body. Under executive session, the governing body may deliberate solely on matters for which the executive session was called, and no final action may be taken during an executive session.

Circumstances under which a governing body may meet in executive session include: employment, dismissal, discipline, or job performance of public officers, employees or staff; labor negotiations; records exempt from public disclosure; consultation with counsel; negotiation of real property transactions, trade, or public investments; matters of medical competency; or relating to security of sensitive sites.

House Bill 2806 expands the list of topics that qualify for executive session to include safety of public body officials, staff, and facilities, as well as cybersecurity concerns.