



## Open Government Impact Statement

82nd Oregon Legislative Assembly  
2023 Regular Session

## Measure: HB 2136

Only impacts on Original or Engrossed  
Versions are Considered Official

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### SUMMARY

Restricts public body from imposing fee for public record if public body maintains record in electronic form, requester agrees to accept record in electronic form and record is retrievable by public body without need to conduct archival search for record. Establishes presumption that fee restriction applies to requested record unless public body can document extraordinary need for public body's staff to be involved in retrieval and preparation for disclosure of public record.

### OPEN GOVERNMENT IMPACT

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

This measure prohibits a public body from charging to complete a public records request if the record is in an electronic format, the requester has agreed to receive the record in electronic format and the public body does not need to search through archival records to find the record unless the public body can show an extraordinary need for staff to be involved in the retrieval or preparation of the record for public disclosure.

This measure does not impact public interests in disclosure that would be served if public records were subject to mandatory disclosure.