

**SB 510 STAFF MEASURE SUMMARY****Carrier:** Sen. Thatcher**Joint Committee On Ways and Means****Action Date:** 04/07/23**Action:** Do pass.**Senate Vote****Yeas:** 10 - Anderson, Campos, Dembrow, Findley, Frederick, Gelser Blouin, Girod, Knopp, Sollman, Steiner**Exc:** 1 - Hansell**House Vote****Yeas:** 11 - Breese-Iverson, Cate, Evans, Gomberg, Holvey, Lewis, McLain, Pham K, Sanchez, Smith G, Valderrama**Exc:** 1 - Reschke**Fiscal:** Fiscal impact issued**Revenue:** No revenue impact**Prepared By:** Kim To, Budget Analyst**Meeting Dates:** 3/28, 4/7**WHAT THE MEASURE DOES:**

Authorizes the newly independent Office of the Public Records Advocate (PRA) to use a similar assessment model used by the Department of Administrative Services (DAS) and the Oregon Ethics Commission to fund the agency's operating expenses. Directs Public Records Advocate (PRA) to estimate biennial costs to carry out duties on or before January 1 preceding start of a biennium, and report to Oregon Department of Administrative Services and Legislative Fiscal Officer. Directs PRA to assess costs to each public body of state government and requires each body to pay costs assessed. Credits assessments to Public Records Advocate Fund. Directs PRA to adopt rules establishing methods for allocating and collecting assessments. Takes effect on 91st day following adjournment sine die.

**ISSUES DISCUSSED:**

- Funding source for the Office of the Public Records Advocate

**EFFECT OF AMENDMENT:**

No amendment.

**BACKGROUND:**

SB 106 (2017) created the role of the Public Records Advocate (PRA) and the budget for performing the duties of the PRA was housed in the Department of Administrative Services (DAS). For the 2017-19 biennium, SB 106 appropriated \$633,187 General Fund to DAS to be expended for the Office of the Public Records Advocate and to support the Public Records Advisory Council. For the 2019-21 and 2021-23 biennia, the expenses for the Office were paid through DAS assessments.

SB 500 (2021) established the Office of the PRA "as an independent office within the executive department, separate and distinct from any other state agency". The 2023-25 biennium budget is the first time the Office submitted a budget request as an independent agency.

The PRA is appointed by the Public Records Advisory Council (ORS 192.481) for a term of four years and may be reappointed to consecutive terms. The PRA is authorized to appoint a Deputy, to whom the PRA may delegate authority. The PRA and the Deputy must be in good standing with the Oregon State Bar. The PRA provides facilitated dispute resolution services between public records requesters and custodians, when requested; provides trainings to state agencies and local governments about requirements and best practices for processing

*This summary has not been adopted or officially endorsed by action of the committee.*

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and responding to public records requests; and is a voting member of the Public Records Advisory Council.