



## Open Government Impact Statement

83rd Oregon Legislative Assembly  
2025 Regular Session

## Measure: HB 3213

Only impacts on Original or Engrossed  
Versions are Considered Official

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### SUMMARY

Digest: The Act applies public records laws to higher learning bodies. The Act tells higher learning bodies to post certain annual reports. The Act declares an emergency and becomes law when the Governor signs it. (Flesch Readability Score: 63.4).

Requires that public university foundations are subject to the public records laws of this state. Specifies the records that are exempt from disclosure. Specifies the records that are not exempt from disclosure. Requires public university foundations to release an annual report that is publicly available on the website maintained by the public university foundation.

Declares an 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 applies the public records laws to a public university foundation and exempts from public disclosure certain information including:

- (a) Information that would disclose the identity of a donor, prospective donor or volunteer.
- (b) Personal financial information, estate planning information or gift planning information of a donor, prospective donor or volunteer.
- (c) Personal information related to any of a donor's private trusts or a donor's private annuities administered by the public university foundation.
- (d) Information related to fundraising plans, fundraising research and solicitation strategies to the extent those activities are not already protected from disclosure.
- (e) Communications which discuss investment strategy or other self-management strategy.

This measure specifically does not exempt other information from public disclosure including:

- (a) The amount and date of a donation;
- (b) Any donor-designated use or purpose of a donation;
- (c) Any other donor-imposed restriction on the use of a donation;
- (d) The identity of a donor who, in any fiscal year, makes a gift in a quid pro quo arrangement, where either the value of the benefit received is in excess of \$2,500 or the benefit would be impermissible under federal law or the laws of this state;



(e) The identity of a donor who makes a gift in a quid pro quo arrangement with an expressed intent, purpose or goal of directing, altering, influencing or otherwise impacting student academic curriculum or learning outcomes;

(f) Self-dealing transactions, including loans of money or property, or material financial interests of or between public university foundation officers or directors and a public university foundation; or

(g) Any instance in which a volunteer or donor of a gift is awarded, within five years of the date of the voluntary service or gift, a contract from the public university foundation or public university that was not subject to competitive bidding.

If those public records that could be subject to public disclosure were instead subject to mandatory disclosure under public records law, the public could gain information relating to the identity and financial situation of persons who donate, might donate, or volunteer for a public a university and relating to information about investment strategies and fundraising plans of the public university.