



## Open Government Impact Statement

83rd Oregon Legislative Assembly  
2025 Regular Session

## Measure: HCR 20

Only impacts on Original or Engrossed  
Versions are Considered Official

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### SUMMARY

Digest: The measure makes changes to LBPR 27 to limit the role of secrecy in investigations made under the rule. The measure says that a person being investigated has a right to a lawyer, with the costs paid for by the LEO, a right to discover evidence and question witnesses and a right to appeal to a court. The measure makes changes to the standard of proof for facts. (Flesch Readability Score 60.6).

Modifies Legislative Branch Personnel Rule 27 to eliminate confidential reports or information being used for investigations performed under the rule by requiring disclosure at conclusion of investigation. Authorizes an investigation respondent to obtain independent counsel to be paid for by the Legislative Equity Officer. Provides that an investigation respondent has the right to discover evidence and depose witnesses. Requires that findings of fact must be established beyond a reasonable doubt. Provides that a respondent who is subject to remedial measures has the right to appeal the determination to a court for de novo judicial review. Provides that a person subject to the rule may not be accused of violating the rule for the same conduct that was previously not found to violate the rule.

### OPEN GOVERNMENT IMPACT

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

This measure modifies the disclosure rules governing conduct complaints and supporting documentation submitted to the Legislative Equity Officer or an offsite process counselor under Legislative Branch Personnel Rule 27 by individuals who experience behavior prohibited by the rule or who observe behavior that is inconsistent with the rule. It also makes disclosable, in response to public records requests under ORS 192.311 to 192.478, disclosures made to the LEO or counselor under the rule by individuals who experience behavior prohibited by the rule or who observe behavior that is inconsistent with the rule, if an interim safety measure is to be imposed as a result of the disclosure.

Currently, conduct complaints made to the Legislative Equity Officer or an offsite processor counselor under the rule are disclosable under certain circumstances. This measure alters the circumstances requiring disclosure of the complaint and the disclosure of supporting documents. Likewise, all disclosures submitted to the officer or counselor under the rule are currently confidential and exempt from public disclosure, but they may be disclosed to certain individuals or agencies in specific scenarios unrelated to the public records laws.