

# Senate Bill 16

Sponsored by Senator THATCHER; Senator WEBER, Representatives DIEHL, LEVY B (Presession filed.)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act says a state agency's public records about being in favor of or against a bill must be made public if the agency has also urged to pass or not pass the bill. (Flesch Readability Score: 60.5).

Requires, if an executive department agency testifies in support of or opposition to a proposed measure or amendment to the measure, the agency to disclose all public records in the agency's custody that relate to the agency's decision to support or oppose the measure or amendment, notwithstanding any other law providing an exemption from the required disclosure. Provides that the law practitioner-client privilege may not serve as a basis for the agency's refusal to disclose the records.

## A BILL FOR AN ACT

1  
2 Relating to records of state agencies.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Section 2 of this 2025 Act is added to and made a part of ORS 192.311 to**  
5 **192.478.**

6 **SECTION 2. (1) As used in this section:**

7 (a) "Agency" means a department, division, authority, board, commission, bureau or  
8 other entity, without regard to the designation given that entity.

9 (b) "Executive department" has the meaning given that term in ORS 174.112.

10 (c) "Takes a position" means:

11 (A) An officer or employee of an agency, acting within the scope of the officer's or  
12 employee's authority with the agency, testifies before a committee or subcommittee of the  
13 Legislative Assembly and the substance of the testimony reflects the agency's support of or  
14 opposition to a proposed measure or amendment; or

15 (B) An agency files written testimony with a committee or subcommittee of the Legis-  
16 lative Assembly, the substance of which reflects support of or opposition to a proposed  
17 measure or amendment.

18 (2) If an agency of the executive department takes a position on a proposed measure  
19 being considered by the Legislative Assembly or an amendment to a proposed measure being  
20 considered by the Legislative Assembly, notwithstanding any other provision of law, any  
21 public record in the custody of the agency that is related to the decision to support or oppose  
22 the proposed measure or amendment must be disclosed to a person upon the request of that  
23 person. The law practitioner-client privilege described in ORS 40.225 may not serve as a basis  
24 for refusing to disclose the requested record.

25 (3) Subsection (2) of this section does not apply to a public record or information if the  
26 disclosure of the public record or information is prohibited by federal law or regulation.

27 (4) ORS 192.329 and 192.335 apply to requests for public records described in this section.

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

