

Enrolled
Senate Bill 1516

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CHAPTER

AN ACT

Relating to public safety; creating new provisions; amending ORS 135.230, 135.233, 137.865 and 192.345 and section 15, chapter 78, Oregon Laws 2022; and declaring an emergency.

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

PRETRIAL RELEASE

SECTION 1. ORS 135.233 is amended to read:

135.233. (1) The presiding judge of a judicial district shall enter a standing pretrial release order specifying to the sheriff of the county, or to the entity supervising the local correctional facility responsible for pretrial incarceration within the judicial district, those persons and offenses:

- (a) Subject to release on recognizance;
- (b) Subject to release with special conditions as specified in the order; and
- (c) That are not eligible for release until arraignment.

(2) The Chief Justice of the Supreme Court, with input from a criminal justice advisory committee appointed by the Chief Justice, shall establish release guidelines for the pretrial release orders described in this section to:

- (a) Provide consistent release decision-making structure across the state;
- (b) Reduce reliance on the use of security;
- (c) Include provisions for victim notification and input; and
- (d) Balance the rights of the defendant and presumption of pretrial release against community and victim safety and the risk of failure to appear.

(3) Any standing pretrial release order entered under subsection (1) of this section does not affect the authority of a magistrate to make a release decision under ORS 135.245 and to consider, when making the release decision, the primary and secondary release criteria, including community safety and the risk of failure to appear by the defendant.

SECTION 2. ORS 135.230 is amended to read:

135.230. As used in ORS 135.230 to 135.290, unless the context requires otherwise:

(1) "Abuse" means:

- (a) Attempting to cause or intentionally, knowingly or recklessly causing physical injury;
- (b) Intentionally, knowingly or recklessly placing another in fear of imminent serious physical injury; or
- (c) Committing sexual abuse in any degree as defined in ORS 163.415, 163.425 and 163.427.

- (2) “Conditional release” means a nonsecurity release which imposes regulations on the activities and associations of the defendant.
- (3) “Domestic violence” means abuse between family or household members.
- (4) “Family or household members” means any of the following:
- (a) Spouses.
 - (b) Former spouses.
 - (c) Adult persons related by blood or marriage.
 - (d) Persons cohabiting with each other.
 - (e) Persons who have cohabited with each other or who have been involved in a sexually intimate relationship.
 - (f) Unmarried parents of a minor child.
- (5) “Magistrate” has the meaning provided for this term in ORS 133.030.
- (6) “Personal recognizance” means the release of a defendant upon the promise of the defendant to appear in court at all appropriate times.
- (7) “Primary release criteria” includes the following:
- (a) The reasonable protection of the victim or public;
 - (b) The nature of the current charge;
 - (c) The defendant’s prior criminal record, if any, and, if the defendant previously has been released pending trial, whether the defendant appeared as required;
 - (d) Any facts indicating the possibility of violations of law if the defendant is released without regulations; and
 - (e) Any other facts tending to indicate [*that*] **whether** the defendant is likely to appear **as required**.
- (8) “Release” means temporary or partial freedom of a defendant from lawful custody before judgment of conviction or after judgment of conviction if defendant has appealed.
- (9) “Release agreement” means a sworn writing by the defendant stating the terms of the release and, if applicable, the amount of security.
- (10) “Release decision” means a determination by a magistrate, using primary and secondary release criteria, which establishes the form of the release most likely to ensure the safety of the public and the victim, the defendant’s court appearance and that the defendant does not engage in domestic violence while on release.
- (11) “Secondary release criteria” includes the following:
- (a) The defendant’s employment status and history and financial condition;
 - (b) The nature and extent of the family relationships of the defendant;
 - (c) The past and present residences of the defendant;
 - (d) Names of persons who agree to assist the defendant in attending court at the proper time; and
 - (e) Any facts tending to indicate that the defendant has strong ties to the community.
- (12) “Security release” means a release conditioned on a promise to appear in court at all appropriate times which is secured by cash, stocks, bonds or real property.
- (13) “Surety” is one who executes a security release and binds oneself to pay the security amount if the defendant fails to comply with the release agreement.

AUTOMATED LICENSE PLATE RECOGNITION SYSTEMS

SECTION 3. Definitions. As used in sections 3 to 9 of this 2026 Act:

- (1) “Alert” means a notification generated by an automated license plate recognition system indicating that a vehicle’s license plate number or other vehicle characteristics match information contained in a hot list or database described in section 4 of this 2026 Act.
- (2) “Authorized user” means a law enforcement officer or other employee of a law enforcement agency who is authorized to deploy or use an automated license plate recogni-

tion system or captured license plate data in accordance with the provisions of sections 3 to 9 of this 2026 Act.

(3)(a) “Automated license plate recognition system” means one or more high-speed cameras combined with computer algorithms used to convert images of license plates or other vehicle characteristics into computer-readable data.

(b) “Automated license plate recognition system” does not include a photo red light camera described in ORS 810.434 when used for enforcement of ORS 811.265 or a photo radar unit when used for enforcement of ORS 811.111.

(4) “Captured license plate data” means the global positioning system coordinates, date and time, video, photograph, license plate number, vehicle characteristics or any other related data or information collected by an automated license plate recognition system.

(5) “Hot list” means a database created or maintained by a law enforcement agency that identifies vehicles used to facilitate the commission of a crime or violation or to avoid apprehension for commission of a crime, or that are associated with a missing or endangered person.

(6) “Law enforcement agency” has the meaning given that term in ORS 181A.775.

(7) “Law enforcement purpose” means an authorized use of an automated license plate recognition system or captured license plate data under section 4 of this 2026 Act.

(8) “Secured area” means an area, enclosed by clear boundaries, to which access is limited or not open to the public and entry is obtainable only through specific access control points.

SECTION 4. Authorized uses of ALPR systems by law enforcement; requirements for use. (1) Except as provided under sections 3 to 9 of this 2026 Act, a law enforcement agency may not use an automated license plate recognition system or captured license plate data.

(2) A law enforcement agency may use an automated license plate recognition system or captured license plate data for the purpose of:

(a) Identifying a vehicle that was used to facilitate the commission of a crime or used to avoid apprehension for commission of a crime, if the crime:

(A) Constitutes a crime under the laws of this state;

(B) If committed in another state or jurisdiction, constitutes a crime that is substantially equivalent to a crime under the laws of this state; or

(C) Constitutes a federal crime and the use is not contrary to the public policies set forth in ORS 24.500 or any law of this state restricting the use of public resources for prohibited enforcement activities, including ORS 181A.250, 181A.820 and 181A.826;

(b) Identifying a vehicle that was used to facilitate the commission of a violation as described in ORS 153.008, excluding a traffic violation as defined in ORS 801.557;

(c) Identifying a vehicle that is registered to a person for whom there is an outstanding criminal warrant for arrest, if the warrant is:

(A) For a crime that constitutes a crime under the laws of this state;

(B) For a crime that, if committed in another state or jurisdiction, constitutes a crime that is substantially equivalent to a crime under the laws of this state; or

(C) A federal judicial warrant for arrest and the use is not contrary to the public policies set forth in ORS 24.500 or any law of this state restricting the use of public resources for prohibited enforcement activities, including ORS 181A.250, 181A.820 and 181A.826;

(d) Identifying a vehicle that is associated with a missing or endangered person, including a person who is the subject of an Amber Alert or Silver Alert;

(e) Identifying an uninsured vehicle, as that term is defined in ORS 742.504;

(f) Identifying a vehicle that is not registered as required under the Oregon Vehicle Code;

(g) Regulating the use of parking facilities; or

(h) Controlling access to secured areas.

(3)(a) For captured license plate data not related to a court proceeding or ongoing criminal investigation, the captured license plate data may be retained for no more than 30 days after the captured license plate data is collected.

(b) For captured license plate data related to a court proceeding or ongoing criminal investigation, the captured license plate data may be retained for the same period of time that evidence is retained in the normal course of the court's business.

(c) Paragraphs (a) and (b) of this subsection do not apply to the audit information described in section 6 of this 2026 Act.

(4)(a) A law enforcement agency may compare captured license plate data with information contained in:

(A) Records held by the Department of Transportation;

(B) The databases of the National Crime Information Center maintained by the Federal Bureau of Investigation;

(C) The Law Enforcement Data System maintained by the Department of State Police or an equivalent system maintained by another state;

(D) The records of the Federal Bureau of Investigation related to kidnappings and missing persons;

(E) The missing children and adults clearinghouse established under ORS 181A.300; or

(F) Hot lists created or maintained by the law enforcement agency using the automated license plate recognition system or equivalent databases created or maintained by an agency of another state that enforces criminal laws.

(b) A law enforcement agency may compare captured license plate data only with information contained in a system, hot list or database described in paragraph (a)(C) or (F) of this subsection if the system, hot list or database is updated frequently enough to ensure the information contained therein is accurate, relevant, timely and complete.

(c) A law enforcement officer or other employee of a law enforcement agency who adds a license plate number, vehicle description or other entry to a hot list must include in the entry:

(A) The specific law enforcement purpose for the entry;

(B) The name of the officer or other employee who adds the entry; and

(C) If the officer or other employee adds the entry on behalf of another employee of the law enforcement agency, the name of that other employee.

(5) A law enforcement officer or other employee of a law enforcement agency who searches captured license plate data collected by an automated license plate recognition system under this section shall include the following information in the search entry log for the automated license plate recognition system:

(a) The authorized user identifier of the person who conducts the search;

(b) The law enforcement agency that employs the person who conducts the search;

(c) The search inputs used;

(d) The date and time of the search;

(e) Any applicable case or reference number;

(f) The law enforcement purpose for the search; and

(g) If the search is related to an investigation of a crime or violation, the specific type of crime or violation being investigated.

(6) Before a law enforcement officer conducts a traffic stop of a driver of a motor vehicle based on an alert, the law enforcement officer or other authorized user shall visually confirm that the vehicle's license plate number, issuing state and other vehicle characteristics match the alert and that the traffic stop complies with agency policy and applicable law.

(7) A law enforcement agency may request access to captured license plate data collected by a private person or entity or non-law enforcement agency, provided that the law enforcement agency accesses or otherwise uses the data for a law enforcement purpose.

SECTION 5. Data sharing limitations for law enforcement agencies. (1) A law enforcement agency may allow queries of the agency's captured license plate data by another law enforcement agency.

(2)(a) Except as provided in paragraph (b) of this subsection, a law enforcement agency may not provide access to captured license plate data to any government entity or agency not created pursuant to the Oregon Constitution, or the laws or regulations of this state.

(b) A law enforcement agency may provide captured license plate data to a government entity or agency not created pursuant to the Oregon Constitution, or the laws or regulations of this state for a law enforcement purpose in accordance with sections 3 to 9 of this 2026 Act. Captured license plate data provided under this subsection must be limited to data relevant to the law enforcement purpose and may not include unrestricted or ongoing access to captured license plate data. A law enforcement agency that provides captured license plate data under this subsection must include the following information in the search entry log for the automated license plate recognition system:

(A) The information required under section 4 (5) of this 2026 Act;

(B) The government agency or entity on whose behalf the search is conducted by the law enforcement agency; and

(C) The number of cameras or devices that were accessed or used as part of the search.

(3) Nothing in this section prohibits a law enforcement agency from providing access to captured license plate data as may be required by a judicial subpoena issued as part of a court proceeding or by another compulsory court-issued legal process.

SECTION 6. ALPR system audits provided by vendor. (1) A vendor that contracts with a law enforcement agency to provide the agency with an automated license plate recognition system or related services shall provide to the agency a monthly audit of the system that is searchable and includes the following information for the preceding 30-day period:

(a) The number of automated license plate recognition systems installed, including cameras and devices;

(b) The location of any fixed or permanent automated license plate recognition system, including cameras and devices;

(c) The number of searches of captured license plate data collected by the automated license plate recognition system;

(d) A list of any law enforcement agency that has access to the automated license plate recognition system;

(e) The number of authorized users for the automated license plate recognition system;

(f) The number of unique vehicles captured by the automated license plate recognition system;

(g) The number of alerts generated by the automated license plate recognition system;

(h) The number of cameras or devices that were accessed or used by the law enforcement agency; and

(i) For any search of captured license plate data collected by the automated license plate recognition system:

(A) The authorized user identifier of the person who conducts the search;

(B) The date and time of the search; and

(C) The law enforcement purpose entered for the search.

(2) A vendor that contracts with a law enforcement agency to provide the agency with an automated license plate recognition system or related services shall provide to the agency a quarterly audit of the system that is searchable and includes the following information for any search of captured license plate data collected by the automated license plate recognition system that is conducted during the preceding quarter on behalf of any government agency or entity that is not the law enforcement agency:

(a) The authorized user identifier of the person who conducts the search;

(b) The law enforcement agency that employs the person who conducts the search;

(c) The government agency or entity on whose behalf the search is conducted by the law enforcement agency;

(d) The date and time of the search;

(e) The law enforcement purpose entered for the search; and

(f) The number of cameras or devices that were accessed or used as part of the search.

(3)(a) A law enforcement agency that receives an audit from a vendor under subsection (1) or (2) of this section shall publish the results of the audit on the agency's website within two days of receiving the audit or, in the alternative, may require the vendor to provide direct public access to the results of the audit within two days of receiving the audit.

(b) Audit results published by a law enforcement agency or provided to the public by a vendor under paragraph (a) of this subsection must be in accordance with the provisions of ORS 192.345 (44)(a).

SECTION 7. Law enforcement agency policies and procedures regarding ALPR systems; requirements. (1) Before deploying or using an automated license plate recognition system or captured license plate data, a law enforcement agency shall establish and publish policies and procedures for the use of an automated license plate recognition system and the use, storage and retention of captured license plate data in accordance with sections 3 to 9 of this 2026 Act.

(2) The policies and procedures described in subsection (1) of this section must include:

(a) Requirements to ensure the security of the automated license plate recognition system and resulting captured license plate data, including rules governing access to the system and data;

(b) Requirements to ensure that information contained in any hot list created or maintained by the law enforcement agency is accurate, relevant, timely and complete;

(c) Training requirements for any authorized users regarding the deployment, use and security of the automated license plate recognition system and captured license plate data;

(d) Requirements for the retention and destruction of captured license plate data;

(e) A requirement that any contract with a third party vendor for an automated license plate recognition system or related services must include terms providing that:

(A) Captured license plate data collected by the automated license plate recognition system is the property of the law enforcement agency, is not owned by the vendor and may not be used by or licensed to the vendor for any purpose inconsistent with the policies and procedures of the law enforcement agency or the provisions of sections 3 to 9 of this 2026 Act;

(B) Any request received by the vendor for access to captured license plate data collected by the automated license plate recognition system, including through a judicial warrant, judicial subpoena or administrative subpoena, must be directed exclusively to the law enforcement agency that owns the captured license plate data;

(C) Captured license plate data must be encrypted using, at a minimum, end-to-end encryption;

(D) The vendor must be in compliance with the most current version of the Federal Bureau of Investigation Criminal Justice Information Services Security Policy, including, as applicable, execution of the Federal Bureau of Investigation Criminal Justice Information Services Security Addendum, audit rights and prompt notification of security incidents; and

(E) The vendor may be held liable for the vendor's misuse or improper release of captured license plate data collected by the automated license plate recognition system, including damages for the misuse or improper release;

(f) Requirements for audit processes under section 6 of this 2026 Act; and

(g) A prohibition on the use of any captured license plate data collected by the automated license plate recognition system for any purpose not in accordance with sections 3 to 9 of this 2026 Act.

SECTION 8. Exception for existing ALPR contracts. (1) Notwithstanding section 7 of this 2026 Act, if a law enforcement agency has deployed or is using an automated license plate

recognition system on or after the effective date of this 2026 Act pursuant to a contract with a third party vendor for an automated license plate recognition system or related services that was entered into prior to the effective date of this 2026 Act, the law enforcement agency may use the automated license plate recognition system in accordance with the terms of the existing contract for the duration of the contract. The law enforcement agency may not extend or renew the contract or enter into a new contract with a third party vendor for an automated license plate recognition system unless the law enforcement agency and any extended, renewed or new contract will be in compliance with the requirements of sections 3 to 9 of this 2026 Act on and after the date on which the contract is extended, renewed or entered into.

(2) Notwithstanding subsection (1) of this section, a law enforcement agency that uses an automated license plate recognition system on or after the effective date of this 2026 Act shall comply with the provisions of section 4 of this 2026 Act regardless of the date on which the agency enters, renews or extends a contract with a third party vendor for an automated license plate recognition system or related services.

SECTION 9. Action for improper access or disclosure of captured license plate data; exceptions; attorney fees. (1)(a) A vendor that contracts with a law enforcement agency to provide an automated license plate recognition system or related services may not access, disclose, sell, share or otherwise use captured license plate data collected by the automated license plate recognition system.

(b) It is not a violation of paragraph (a) of this subsection for a vendor to:

(A) Access captured license plate data collected by an automated license plate recognition system for the limited duration and purpose of providing technical support to the law enforcement agency for the system or data if the agency grants express consent for that duration and purpose; or

(B) Provide the audit information described under section 6 of this 2026 Act to a law enforcement agency.

(2) If a vendor intentionally or with gross negligence accesses, discloses, sells, shares or otherwise uses captured license plate data related to an individual in violation of subsection (1)(a) of this section, the individual may bring a civil action against the vendor for economic and noneconomic damages and equitable relief. If a court awards damages or equitable relief to the individual, the court may award reasonable attorney fees to the individual.

(3) Any person may bring a civil action against a vendor that violates subsection (1)(a) of this section to enjoin the violation.

(4) The causes of action provided in this section are the exclusive remedies in law or equity for violation of subsection (1)(a) of this section.

SECTION 10. ORS 137.865 is amended to read:

137.865. (1) The Organized Retail Theft Grant Program is established to assist:

(a) Cities and counties with the costs incurred by local law enforcement agencies in addressing organized retail theft; and

(b) The Department of Justice with costs incurred by the department in addressing organized retail theft.

(2) The Oregon Criminal Justice Commission shall administer the grant program described in subsection (1) of this section and shall award the grants described in this section.

(3) The commission may adopt rules to administer the grant program, including:

(a) A methodology for reviewing and approving grant applications and awarding grants;

(b) A process for distributing any unallocated funds;

(c) A process for evaluating the efficacy of programs and services funded by the grant program;

(d) Provisions related to requests by grant recipients to adjust their grant awards; and

(e) Provisions related to partnerships or collaborations between applicants.

(4)(a) Moneys distributed to grant recipients under this section must be spent on costs associated with addressing and prosecuting organized retail theft and may be used for the purchase of equipment.

(b) The use of any automated license plate recognition system, as defined in section 3 of this 2026 Act, purchased under this section must comply with the provisions of sections 3 to 9 of this 2026 Act.

(5) As used in this section, “equipment” means any item used by peace officers, deputy district attorneys or retail asset protection investigators in detecting, investigating, documenting or adjudicating organized retail theft activities.

SECTION 11. ORS 192.345 is amended to read:

192.345. The following public records are exempt from disclosure under ORS 192.311 to 192.478 unless the public interest requires disclosure in the particular instance:

(1) Records of a public body pertaining to litigation to which the public body is a party if the complaint has been filed, or if the complaint has not been filed, if the public body shows that such litigation is reasonably likely to occur. This exemption does not apply to litigation which has been concluded, and nothing in this subsection shall limit any right or opportunity granted by discovery or deposition statutes to a party to litigation or potential litigation.

(2) Trade secrets. “Trade secrets,” as used in this section, may include, but are not limited to, any formula, plan, pattern, process, tool, mechanism, compound, procedure, production data, or compilation of information which is not patented, which is known only to certain individuals within an organization and which is used in a business it conducts, having actual or potential commercial value, and which gives its user an opportunity to obtain a business advantage over competitors who do not know or use it.

(3) Investigatory information compiled for criminal law purposes. The record of an arrest or the report of a crime shall be disclosed unless and only for so long as there is a clear need to delay disclosure in the course of a specific investigation, including the need to protect the complaining party or the victim. Nothing in this subsection shall limit any right constitutionally guaranteed, or granted by statute, to disclosure or discovery in criminal cases. For purposes of this subsection, the record of an arrest or the report of a crime includes, but is not limited to:

(a) The arrested person’s name, age, residence, employment, marital status and similar biographical information;

(b) The offense with which the arrested person is charged;

(c) The conditions of release pursuant to ORS 135.230 to 135.290;

(d) The identity of and biographical information concerning both complaining party and victim;

(e) The identity of the investigating and arresting agency and the length of the investigation;

(f) The circumstances of arrest, including time, place, resistance, pursuit and weapons used; and

(g) Such information as may be necessary to enlist public assistance in apprehending fugitives from justice.

(4) Test questions, scoring keys, and other data used to administer a licensing examination, employment, academic or other examination or testing procedure before the examination is given and if the examination is to be used again. Records establishing procedures for and instructing persons administering, grading or evaluating an examination or testing procedure are included in this exemption, to the extent that disclosure would create a risk that the result might be affected.

(5) Information consisting of production records, sale or purchase records or catch records, or similar business records of a private concern or enterprise, required by law to be submitted to or inspected by a governmental body to allow it to determine fees or assessments payable or to establish production quotas, and the amounts of such fees or assessments payable or paid, to the extent that such information is in a form that would permit identification of the individual concern or enterprise. This exemption does not include records submitted by long term care facilities as defined in ORS 442.015 to the state for purposes of reimbursement of expenses or determining fees for patient care. Nothing in this subsection shall limit the use that can be made of such information for regulatory purposes or its admissibility in any enforcement proceeding.

- (6) Information relating to the appraisal of real estate prior to its acquisition.
- (7) The names and signatures of employees who sign authorization cards or petitions for the purpose of requesting representation or decertification elections.
- (8) Investigatory information relating to any complaint filed under ORS 659A.820 or 659A.825, until such time as the complaint is resolved under ORS 659A.835, or a final order is issued under ORS 659A.850.
- (9) Investigatory information relating to any complaint or charge filed under ORS 243.676 and 663.180.
- (10) Records, reports and other information received or compiled by the Director of the Department of Consumer and Business Services under ORS 697.732.
- (11) Information concerning the location of archaeological sites or objects as those terms are defined in ORS 358.905, except if the governing body of an Indian tribe requests the information and the need for the information is related to that Indian tribe's cultural or religious activities. This exemption does not include information relating to a site that is all or part of an existing, commonly known and publicized tourist facility or attraction.
- (12) A personnel discipline action, or materials or documents supporting that action.
- (13) Fish and wildlife information developed pursuant to ORS 496.004, 496.172 and 498.026 or ORS 496.192 and 564.100, regarding the habitat, location or population of any threatened species or endangered species.
- (14) Writings prepared by or under the direction of faculty of public educational institutions, in connection with research, until publicly released, copyrighted or patented.
- (15) Computer programs developed or purchased by or for any public body for its own use. As used in this subsection, "computer program" means a series of instructions or statements which permit the functioning of a computer system in a manner designed to provide storage, retrieval and manipulation of data from such computer system, and any associated documentation and source material that explain how to operate the computer program. "Computer program" does not include:
 - (a) The original data, including but not limited to numbers, text, voice, graphics and images;
 - (b) Analyses, compilations and other manipulated forms of the original data produced by use of the program; or
 - (c) The mathematical and statistical formulas which would be used if the manipulated forms of the original data were to be produced manually.
- (16) Data and information provided by participants to mediation under ORS 36.256.
- (17) Investigatory information relating to any complaint or charge filed under ORS chapter 654, until a final administrative determination is made or, if a citation is issued, until an employer receives notice of any citation.
- (18) Specific operational plans in connection with an anticipated threat to individual or public safety for deployment and use of personnel and equipment, prepared or used by a public body, if public disclosure of the plans would endanger an individual's life or physical safety or jeopardize a law enforcement activity.
- (19)(a) Audits or audit reports required of a telecommunications carrier. As used in this paragraph, "audit or audit report" means any external or internal audit or audit report pertaining to a telecommunications carrier, as defined in ORS 133.721, or pertaining to a corporation having an affiliated interest, as defined in ORS 759.390, with a telecommunications carrier that is intended to make the operations of the entity more efficient, accurate or compliant with applicable rules, procedures or standards, that may include self-criticism and that has been filed by the telecommunications carrier or affiliate under compulsion of state law. "Audit or audit report" does not mean an audit of a cost study that would be discoverable in a contested case proceeding and that is not subject to a protective order; and
 - (b) Financial statements. As used in this paragraph, "financial statement" means a financial statement of a nonregulated corporation having an affiliated interest, as defined in ORS 759.390, with a telecommunications carrier, as defined in ORS 133.721.

(20) The residence address of an elector if authorized under ORS 247.965 and subject to ORS 247.967.

(21) The following records, communications and information submitted to a housing authority as defined in ORS 456.005, or to an urban renewal agency as defined in ORS 457.010, by applicants for and recipients of loans, grants and tax credits:

(a) Personal and corporate financial statements and information, including tax returns;

(b) Credit reports;

(c) Project appraisals, excluding appraisals obtained in the course of transactions involving an interest in real estate that is acquired, leased, rented, exchanged, transferred or otherwise disposed of as part of the project, but only after the transactions have closed and are concluded;

(d) Market studies and analyses;

(e) Articles of incorporation, partnership agreements and operating agreements;

(f) Commitment letters;

(g) Project pro forma statements;

(h) Project cost certifications and cost data;

(i) Audits;

(j) Project tenant correspondence requested to be confidential;

(k) Tenant files relating to certification; and

(L) Housing assistance payment requests.

(22) Records or information that, if disclosed, would allow a person to:

(a) Gain unauthorized access to buildings or other property;

(b) Identify those areas of structural or operational vulnerability that would permit unlawful disruption to, or interference with, services; or

(c) Disrupt, interfere with or gain unauthorized access to public funds or to information processing, communication or telecommunication systems, including the information contained in the systems, that are used or operated by a public body.

(23) Records or information that would reveal or otherwise identify security measures, or weaknesses or potential weaknesses in security measures, taken or recommended to be taken to protect:

(a) An individual;

(b) Buildings or other property;

(c) Information processing, communication or telecommunication systems, including the information contained in the systems; or

(d) Those operations of the Oregon State Lottery the security of which are subject to study and evaluation under ORS 461.180 (6).

(24) Personal information held by or under the direction of officials of the Oregon Health and Science University or a public university listed in ORS 352.002 about a person who has or who is interested in donating money or property to the Oregon Health and Science University or a public university, if the information is related to the family of the person, personal assets of the person or is incidental information not related to the donation.

(25) The home address, professional address and telephone number of a person who has or who is interested in donating money or property to a public university listed in ORS 352.002.

(26) Records of the name and address of a person who files a report with or pays an assessment to a commodity commission established under ORS 576.051 to 576.455, the Oregon Beef Council created under ORS 577.210 or the Oregon Wheat Commission created under ORS 578.030.

(27) Information provided to, obtained by or used by a public body to authorize, originate, receive or authenticate a transfer of funds, including but not limited to a credit card number, payment card expiration date, password, financial institution account number and financial institution routing number.

(28) Social Security numbers as provided in ORS 107.840.

(29) The electronic mail address of a student who attends a public university listed in ORS 352.002 or Oregon Health and Science University.

(30) The name, home address, professional address or location of a person that is engaged in, or that provides goods or services for, medical research at Oregon Health and Science University that is conducted using animals other than rodents. This subsection does not apply to Oregon Health and Science University press releases, websites or other publications circulated to the general public.

(31) If requested by a public safety officer, as defined in ORS 181A.355, or a county juvenile department employee who is charged with and primarily performs duties related to the custody, control or supervision of adjudicated youths confined in a detention facility, as defined in ORS 419A.004:

(a) The home address and home telephone number of the public safety officer or county juvenile department employee contained in the voter registration records for the officer or employee.

(b) The home address and home telephone number of the public safety officer or county juvenile department employee contained in records of the Department of Public Safety Standards and Training.

(c) The name of the public safety officer or county juvenile department employee contained in county real property assessment or taxation records. This exemption:

(A) Applies only to the name of the officer or employee and any other owner of the property in connection with a specific property identified by the officer or employee in a request for exemption from disclosure;

(B) Applies only to records that may be made immediately available to the public upon request in person, by telephone or using the Internet;

(C) Applies until the officer or employee requests termination of the exemption;

(D) Does not apply to disclosure of records among public bodies as defined in ORS 174.109 for governmental purposes; and

(E) May not result in liability for the county if the name of the officer or employee is disclosed after a request for exemption from disclosure is made under this subsection.

(32) Unless the public records request is made by a financial institution, as defined in ORS 706.008, consumer finance company licensed under ORS chapter 725, mortgage banker or mortgage broker licensed under ORS 86A.095 to 86A.198, or title company for business purposes, records described in paragraph (a) of this subsection, if the exemption from disclosure of the records is sought by an individual described in paragraph (b) of this subsection using the procedure described in paragraph (c) of this subsection:

(a) The home address, home or cellular telephone number or personal electronic mail address contained in the records of any public body that has received the request that is set forth in:

(A) A warranty deed, deed of trust, mortgage, lien, deed of reconveyance, release, satisfaction, substitution of trustee, easement, dog license, marriage license or military discharge record that is in the possession of the county clerk; or

(B) Any public record of a public body other than the county clerk.

(b) The individual claiming the exemption from disclosure must be a district attorney, a deputy district attorney, the Attorney General or an assistant attorney general, the United States Attorney for the District of Oregon or an assistant United States attorney for the District of Oregon, a city attorney who engages in the prosecution of criminal matters or a deputy city attorney who engages in the prosecution of criminal matters.

(c) The individual claiming the exemption from disclosure must do so by filing the claim in writing with the public body for which the exemption from disclosure is being claimed on a form prescribed by the public body. Unless the claim is filed with the county clerk, the claim form shall list the public records in the possession of the public body to which the exemption applies. The exemption applies until the individual claiming the exemption requests termination of the exemption or ceases to qualify for the exemption.

(33) The following voluntary conservation agreements and reports:

(a) Land management plans required for voluntary stewardship agreements entered into under ORS 541.973; and

(b) Written agreements relating to the conservation of greater sage grouse entered into voluntarily by owners or occupiers of land with a soil and water conservation district under ORS 568.550.

(34) Sensitive business records or financial or commercial information of the State Accident Insurance Fund Corporation that is not customarily provided to business competitors. This exemption does not:

(a) Apply to the formulas for determining dividends to be paid to employers insured by the State Accident Insurance Fund Corporation;

(b) Apply to contracts for advertising, public relations or lobbying services or to documents related to the formation of such contracts;

(c) Apply to group insurance contracts or to documents relating to the formation of such contracts, except that employer account records shall remain exempt from disclosure as provided in ORS 192.355 (35); or

(d) Provide the basis for opposing the discovery of documents in litigation pursuant to the applicable rules of civil procedure.

(35) Records of the Department of Public Safety Standards and Training relating to investigations conducted under ORS 181A.640 or 181A.870 (6), until the department issues the report described in ORS 181A.640 or 181A.870.

(36) A medical examiner's report, autopsy report or laboratory test report ordered by a medical examiner under ORS 146.117.

(37) Any document or other information related to an audit of a public body, as defined in ORS 174.109, that is in the custody of an auditor or audit organization operating under nationally recognized government auditing standards, until the auditor or audit organization issues a final audit report in accordance with those standards or the audit is abandoned. This exemption does not prohibit disclosure of a draft audit report that is provided to the audited entity for the entity's response to the audit findings.

(38)(a) Personally identifiable information collected as part of an electronic fare collection system of a mass transit system.

(b) The exemption from disclosure in paragraph (a) of this subsection does not apply to public records that have attributes of anonymity that are sufficient, or that are aggregated into groupings that are broad enough, to ensure that persons cannot be identified by disclosure of the public records.

(c) As used in this subsection:

(A) "Electronic fare collection system" means the software and hardware used for, associated with or relating to the collection of transit fares for a mass transit system, including but not limited to computers, radio communication systems, personal mobile devices, wearable technology, fare instruments, information technology, data storage or collection equipment, or other equipment or improvements.

(B) "Mass transit system" has the meaning given that term in ORS 267.010.

(C) "Personally identifiable information" means all information relating to a person that acquires or uses a transit pass or other fare payment medium in connection with an electronic fare collection system, including but not limited to:

(i) Customer account information, date of birth, telephone number, physical address, electronic mail address, credit or debit card information, bank account information, Social Security or taxpayer identification number or other identification number, transit pass or fare payment medium balances or history, or similar personal information; or

(ii) Travel dates, travel times, frequency of use, travel locations, service types or vehicle use, or similar travel information.

(39)(a) If requested by a civil code enforcement officer:

(A) The home address and home telephone number of the civil code enforcement officer contained in the voter registration records for the officer.

(B) The name of the civil code enforcement officer contained in county real property assessment or taxation records. This exemption:

(i) Applies only to the name of the civil code enforcement officer and any other owner of the property in connection with a specific property identified by the officer in a request for exemption from disclosure;

(ii) Applies only to records that may be made immediately available to the public upon request in person, by telephone or using the Internet;

(iii) Applies until the civil code enforcement officer requests termination of the exemption;

(iv) Does not apply to disclosure of records among public bodies as defined in ORS 174.109 for governmental purposes; and

(v) May not result in liability for the county if the name of the civil code enforcement officer is disclosed after a request for exemption from disclosure is made under this subsection.

(b) As used in this subsection, "civil code enforcement officer" means an employee of a public body, as defined in ORS 174.109, who is charged with enforcing laws or ordinances relating to land use, zoning, use of rights-of-way, solid waste, hazardous waste, sewage treatment and disposal or the state building code.

(40) Audio or video recordings, whether digital or analog, resulting from a law enforcement officer's operation of a video camera worn upon the officer's person that records the officer's interactions with members of the public while the officer is on duty. When a recording described in this subsection is subject to disclosure, the following apply:

(a) Recordings that have been sealed in a court's record of a court proceeding or otherwise ordered by a court not to be disclosed may not be disclosed.

(b) A request for disclosure under this subsection must identify the approximate date and time of an incident for which the recordings are requested and be reasonably tailored to include only that material for which a public interest requires disclosure.

(c) A video recording disclosed under this subsection must, prior to disclosure, be edited in a manner as to render the faces of all persons within the recording unidentifiable.

(41) The contents of tips reported to a tip line, as defined in ORS 339.329. However, personally identifiable information, as defined in ORS 339.329, is not subject to public interest balancing under this section and remains exempt from disclosure except as provided in ORS 339.329.

(42) Residential addresses of individuals with intellectual or developmental disabilities residing in adult foster homes as defined in ORS 443.705 or residential training facilities or residential training homes as those terms are defined in ORS 443.400.

(43) The name, home address, professional address or location of an individual who is authorized to provide physical and behavioral health care services in this state and who provides reproductive and gender-affirming health care services.

(44)(a) Captured license plate data, as that term is defined in section 3 of this 2026 Act, collected by an automated license plate recognition system, as that term is defined in section 3 of this 2026 Act, if the automated license plate recognition system is deployed or used by a law enforcement agency. Except that the contents of an audit described in section 6 of this 2026 Act shall be disclosed provided that the contents are, prior to disclosure, edited in a manner as to remove all personally identifiable information, including any license plate number or vehicle characteristics relating to a person whose captured license plate data is collected by an automated license plate recognition system.

(b) When captured license plate data is subject to conditional disclosure, the following apply:

(A) A request for disclosure under this subsection must identify the approximate date and time of the collection of captured license plate data for which the captured license plate data is requested and be reasonably tailored to include only that material for which a public interest requires disclosure.

(B) A video recording or image disclosed under this subsection must, prior to disclosure, be edited in a manner as to render the faces of all persons within the recording or image unidentifiable.

(C) Captured license plate data that has been sealed in a court's record of a court proceeding or otherwise ordered by a court not to be disclosed may not be disclosed, unless otherwise contained in an audit described in section 6 of this 2026 Act.

(c) Nothing in this subsection shall limit any right constitutionally guaranteed, or granted by statute, to disclosure or discovery in criminal cases.

JUSTICE REINVESTMENT EQUITY PROGRAM

SECTION 12. Section 15, chapter 78, Oregon Laws 2022, is amended to read:

Sec. 15. (1) The Oregon Criminal Justice Commission shall distribute *[the] any moneys [received pursuant to section 14 of this 2022 Act to the Northwest Health Foundation Fund II to fund]* **appropriated to the commission for the Justice Reinvestment Equity Program as described in this section.** The program shall consist of the provision of subgrants and technical assistance *[by the Northwest Health Foundation Fund II]*, **by an intermediary technical assistance provider**, to culturally specific organizations and culturally responsive service providers for the following purposes:

- (a) Mental health and substance use disorder treatment;
- (b) Maternal health services;
- (c) Trauma-informed restorative justice services;
- (d) Violence reduction programs, including but not limited to violence interruption mentors or after-school programs focused on art, music, theater or dance;
- (e) Crisis intervention without police involvement;
- (f) Reentry programs that are connected to education, workforce development and transitional supports;
- (g) Long-term supportive housing;
- (h) Support for setting aside conviction records;
- (i) Pretrial release support;
- (j) Services for victims, including incarcerated victims or victims on pretrial release;
- (k) Programs for persons, and families of persons, who are currently or were formerly incarcerated;
- (L) Programs designed to reduce recidivism and reduce contact with the criminal justice system;
- (m) Programs for persons who have been impacted by police violence, either directly or through a family member; or
- (n) Planning *[grants]* **subgrants** and technical assistance to support the development of new culturally specific services, or to strengthen existing services, that are aligned with the other purposes described in this subsection.

(2) Recognizing that systemic racism exists within this state and within the criminal justice system, and that culturally specific organizations and culturally responsive services must be expanded to address those disparities, the purpose of the Justice Reinvestment Equity Program is to promote racial equity, reduce racial disparities, reduce recidivism and decrease a county's utilization of imprisonment in a Department of Corrections institution, all while protecting public safety and holding offenders accountable.

(3)(a) As part of the program, the commission shall select a culturally responsive technical assistance provider that has experience working with prior Justice Reinvestment Equity Program subgrantees to serve as an intermediary between the commission and program subgrantees. The commission shall distribute to the technical assistance provider, as a grant, the moneys appropriated to the commission for the program.

(b) The technical assistance provider shall develop selection criteria and recommendations for subgrants provided as part of the program. The commission has approval authority for final subgrant awards based on the selection criteria and recommendations.

(c) In consultation with the commission, the technical assistance provider is responsible for:

(A) Oversight and compilation of fiscal and data reporting that incorporate measures of success as defined by the technical assistance provider;

(B) Administering the application and subgrant management processes for program funding and making recommendations to the commission on final subgrant awards;

(C) Assisting subgrantees with the effective implementation and management of program subgrant funds;

(D) Organizational capacity-building, with a focus on effective subgrant management and performance of subgrant deliverables; and

(E) Developing working relationships between program subgrantees and other organizations funded by the commission to the benefit of individuals and the community.

[3] (4) Notwithstanding subsection (1) of this section, up to three percent of funds distributed under this section may be used by the [*Northwest Health Foundation Fund II*] **technical assistance provider selected by the commission under subsection (3) of this section** for administrative costs.

[4] (5) The Oregon Criminal Justice Commission may adopt rules to carry out the provisions of this section.

[5] (6) As used in this section:

(a) “Administrative costs” means all costs incurred throughout the administration of the Justice Reinvestment Equity Program that are not directly related to the delivery of program services or projects.

(b) “Culturally responsive service” means a service that is respectful of, and relevant to, the beliefs, practices, cultures and linguistic needs of diverse consumer or client populations and communities whose members identify as having particular cultural or linguistic affiliations by virtue of their place of birth, ancestry or ethnic origin, religion, preferred language or language spoken at home. A culturally responsive service has the capacity to respond to the issues of diverse communities and require knowledge and capacity at systemic, organizational, professional and individual levels of intervention.

(c) “Culturally specific organization” means an organization, or a program within an organization, that serves a particular cultural community, that is primarily staffed and led by members of that community and that demonstrates self-advocacy, positive cultural identity and intimate knowledge of the lived experience of the community, including but not limited to:

(A) The impact of structural and individual racism or discrimination on the community;

(B) Specific disparities in access to services and resources experienced by the community; and

(C) Community strengths, cultural practices, beliefs and traditions.

CAPTIONS

SECTION 13. The unit and section captions used in this 2026 Act are provided only for the convenience of the reader and do not become part of the statutory law of this state or express any legislative intent in the enactment of this 2026 Act.

EMERGENCY CLAUSE

SECTION 14. This 2026 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2026 Act takes effect on its passage.

Passed by Senate February 20, 2026

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Obadiah Rutledge, Secretary of Senate

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Rob Wagner, President of Senate

Passed by House March 5, 2026

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Julie Fahey, Speaker of House

Received by Governor:

.....M,....., 2026

Approved:

.....M,....., 2026

.....
Tina Kotek, Governor

Filed in Office of Secretary of State:

.....M,....., 2026

.....
Tobias Read, Secretary of State