

SB 1516-8
(LC 106)
2/13/26 (MNJ/htl/ps)

Requested by SENATE COMMITTEE ON JUDICIARY

**PROPOSED AMENDMENTS TO
SENATE BILL 1516**

On page 1 of the printed bill, line 2, after “ORS” delete the rest of the line and delete line 3 and insert “135.230, 135.233, 137.865, 166.070 and 192.345; and declaring an emergency.”.

On page 3, after line 45, insert:

“AUTOMATED LICENSE PLATE RECOGNITION SYSTEMS

“SECTION 4. Definitions. As used in sections 4 to 10 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 5 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 recognition system or captured license plate data in accordance with the provisions of sections 4 to 10 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

1 computer-readable data.

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

6 “(4) ‘Captured license plate data’ means the global positioning sys-
7 tem coordinates, date and time, video, photograph, license plate
8 number, vehicle characteristics or any other related data or informa-
9 tion collected by an automated license plate recognition system.

10 “(5) ‘End-to-end encryption’ means a method of data encryption
11 that ensures only the law enforcement agency that owns the captured
12 license plate data possesses the capability to decrypt, access or grant
13 access to the captured license plate data.

14 “(6) ‘Hot list’ means a database created or maintained by a law
15 enforcement agency that identifies vehicles used to facilitate the
16 commission of a crime or violation or to avoid apprehension for com-
17 mission of a crime, or that are associated with a missing or endan-
18 gered person.

19 “(7) ‘Law enforcement agency’ has the meaning given that term in
20 ORS 181A.775.

21 “(8) ‘Law enforcement purpose’ means an authorized use of an au-
22 tomated license plate recognition system or captured license plate data
23 under section 5 of this 2026 Act.

24 “(9) ‘Secured area’ means an area, enclosed by clear boundaries, to
25 which access is limited or not open to the public and entry is obtain-
26 able only through specific access control points.

27 “SECTION 5. Authorized uses of ALPR systems by law enforcement;
28 requirements for use. (1) Except as provided under sections 4 to 10 of
29 this 2026 Act, a law enforcement agency may not use an automated
30 license plate recognition system or captured license plate data.

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

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

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

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

10 “(C) Constitutes a federal crime and the use is not contrary to
11 public policy of this state, including the public policies set forth in
12 ORS 24.500, or any law of this state restricting the use of public re-
13 sources for prohibited enforcement activities, including ORS 181A.820
14 and 181A.826;

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

18 “(c) Identifying a vehicle that is registered to a person for whom
19 there is an outstanding criminal warrant for arrest, provided that the
20 warrant is:

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

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

26 “(C) A federal judicial warrant for arrest and the use is not con-
27 trary to public policy of this state, including the public policies set
28 forth in ORS 24.500, or any law of this state restricting the use of
29 public resources for prohibited enforcement activities, including ORS
30 181A.820 and 181A.826;

1 “(d) Identifying a vehicle that is associated with a missing or en-
2 dangered person, including a person who is the subject of an Amber
3 Alert or Silver Alert;

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

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

8 “(g) Regulating the use of parking facilities; or

9 “(h) Controlling access to secured areas.

10 “(3)(a) For captured license plate data not related to a court pro-
11 ceeding or ongoing criminal investigation, the captured license plate
12 data may be retained for no more than 30 days after the captured li-
13 cense plate data is collected.

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

18 “(c) Paragraphs (a) and (b) of this subsection do not apply to the
19 audit information described in section 7 of this 2026 Act.

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

22 “(A) Records held by the Department of Transportation;

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

25 “(C) The Law Enforcement Data System maintained by the De-
26 partment of State Police or an equivalent system maintained by an-
27 other state;

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

30 “(E) The missing children and adults clearinghouse established un-

1 **der ORS 181A.300; or**

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

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

11 **“(c) A law enforcement officer or other employee of a law enforce-**
12 **ment agency who adds a license plate number, vehicle description or**
13 **other entry to a hot list must include in the entry:**

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

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

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

20 **“(5) A law enforcement officer or other employee of a law enforce-**
21 **ment agency who searches captured license plate data collected by an**
22 **automated license plate recognition system under this section shall**
23 **include the following information in the search entry log for the au-**
24 **tomated license plate recognition system:**

25 **“(a) The authorized user identifier of the person who conducts the**
26 **search;**

27 **“(b) The law enforcement agency that employs the person who**
28 **conducts the search;**

29 **“(c) The search inputs used;**

30 **“(d) The date and time of the search;**

1 “(e) Any applicable case or reference number;

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

3 “(g) If the search is related to an investigation of a crime or vio-
4 lation, the specific type of crime or violation being investigated.

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

11 “(7) A law enforcement agency may request access to captured li-
12 cense plate data collected by a private person or entity or non-law
13 enforcement agency, provided that the law enforcement agency ac-
14 cesses or otherwise uses the data for a law enforcement purpose.

15 “SECTION 6. Data sharing limitations for law enforcement agen-
16 cies. (1) A law enforcement agency may allow queries of the agency’s
17 captured license plate data by another law enforcement agency.

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

22 “(b) A law enforcement agency may provide captured license plate
23 data to a government entity or agency not created pursuant to the
24 Oregon Constitution, or the laws or regulations of this state for a law
25 enforcement purpose in accordance with sections 4 to 10 of this 2026
26 Act. Captured license plate data provided under this subsection must
27 be limited to data relevant to the law enforcement purpose and may
28 not include unrestricted or ongoing access to captured license plate
29 data. A law enforcement agency that provides captured license plate
30 data under this subsection must include the following information in

1 the search entry log for the automated license plate recognition sys-
2 tem:

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

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

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

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

12 “SECTION 7. ALPR system audits provided by vendor. (1) A vendor
13 that contracts with a law enforcement agency to provide the agency
14 with an automated license plate recognition system or related services
15 shall provide to the agency a monthly audit of the system that is
16 searchable and includes the following information for the preceding
17 30-day period:

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

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

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

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

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

28 “(f) The number of unique vehicles captured by the automated li-
29 cense plate recognition system;

30 “(g) The number of alerts generated by the automated license plate

1 recognition system;

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

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

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

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

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

10 “(2) A vendor that contracts with a law enforcement agency to
11 provide the agency with an automated license plate recognition system
12 or related services shall provide to the agency a quarterly audit of the
13 system that is searchable and includes the following information for
14 any search of captured license plate data collected by the automated
15 license plate recognition system that is conducted during the preced-
16 ing quarter on behalf of any government agency or entity that is not
17 the law enforcement agency:

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

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

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

24 “(d) The date and time of the search;

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

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

28 “(3)(a) A law enforcement agency that receives an audit from a
29 vendor under subsection (1) or (2) of this section shall publish the re-
30 sults of the audit on the agency’s website within two days of receiving

1 the audit or, in the alternative, may require the vendor to provide di-
2 rect public access to the results of the audit within two days of re-
3 ceiving the audit.

4 “(b) Audit results published by a law enforcement agency or pro-
5 vided to the public by a vendor under paragraph (a) of this subsection
6 must be in accordance with the provisions of ORS 192.345 (44)(a).

7 “SECTION 8. Law enforcement agency policies and procedures re-
8 garding ALPR systems; requirements. (1) Before deploying or using an
9 automated license plate recognition system or captured license plate
10 data, a law enforcement agency shall establish and publish policies and
11 procedures for the use of an automated license plate recognition sys-
12 tem and the use, storage and retention of captured license plate data
13 in accordance with sections 4 to 10 of this 2026 Act.

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

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

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

22 “(c) Training requirements for any authorized users regarding the
23 deployment, use and security of the automated license plate recogni-
24 tion system and captured license plate data;

25 “(d) Requirements for the retention and destruction of captured li-
26 cense plate data;

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

30 “(A) Captured license plate data collected by the automated license

1 plate recognition system is the property of the law enforcement
2 agency, is not owned by the vendor and may not be used by or licensed
3 to the vendor for any purpose inconsistent with the policies and pro-
4 cedures of the law enforcement agency or the provisions of sections 4
5 to 10 of this 2026 Act;

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

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

13 “(D) The vendor must be in compliance with the most current ver-
14 sion of the Federal Bureau of Investigation Criminal Justice Informa-
15 tion Services Security Policy, including, as applicable, execution of the
16 Federal Bureau of Investigation Criminal Justice Information Services
17 Security Addendum, audit rights and prompt notification of security
18 incidents; and

19 “(E) The vendor may be held liable for the vendor’s misuse or im-
20 proper release of captured license plate data collected by the auto-
21 mated license plate recognition system, including damages for the
22 misuse or improper release;

23 “(f) Requirements for audit processes under section 7 of this 2026
24 Act; and

25 “(g) A prohibition on the use of any captured license plate data
26 collected by the automated license plate recognition system for any
27 purpose not in accordance with sections 4 to 10 of this 2026 Act.

28 “SECTION 9. Exception for existing ALPR contracts. (1)(a) Not-
29 withstanding section 8 of this 2026 Act, if a law enforcement agency
30 has deployed or is using an automated license plate recognition system

1 on or after the effective date of this 2026 Act pursuant to a contract
2 with a third party vendor for an automated license plate recognition
3 system or related services that was entered into prior to the effective
4 date of this 2026 Act, the law enforcement agency may use the auto-
5 mated license plate recognition system in accordance with the terms
6 of the existing contract for the duration of the contract. The law
7 enforcement agency may not extend or renew the contract or enter
8 into a new contract with a third party vendor for an automated license
9 plate recognition system unless the law enforcement agency and any
10 extended, renewed or new contract will be in compliance with the re-
11 quirements of sections 4 to 10 of this 2026 Act on and after the date
12 on which the contract is extended, renewed or entered into.

13 “(b) Notwithstanding paragraph (a) of this subsection, a law
14 enforcement agency that uses an automated license plate recognition
15 system on or after the effective date of this 2026 Act shall comply with
16 the provisions of section 5 of this 2026 Act regardless of the date on
17 which the agency enters, renews or extends a contract with a third
18 party vendor for an automated license plate recognition system or re-
19 lated services.

20 “SECTION 10. Action for improper access or disclosure of captured
21 license plate data; exceptions; attorney fees. (1)(a) A vendor that con-
22 tracts with a law enforcement agency to provide an automated license
23 plate recognition system or related services may not access, disclose,
24 sell, share or otherwise use captured license plate data collected by the
25 automated license plate recognition system.

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

28 “(A) Access captured license plate data collected by an automated
29 license plate recognition system for the limited duration and purpose
30 of providing technical support to the law enforcement agency for the

1 system or data if the agency grants express consent for that duration
2 and purpose; or

3 “(B) Provide the audit information described under section 7 of this
4 2026 Act to a law enforcement agency.

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

12 “(3) Any person may bring a civil action against a vendor that vio-
13 lates subsection (1)(a) of this section to enjoin the violation.

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

17 **“SECTION 11.** ORS 137.865 is amended to read:

18 “137.865. (1) The Organized Retail Theft Grant Program is established to
19 assist:

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

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

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

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

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

1 “(b) A process for distributing any unallocated funds;

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

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

6 “(e) Provisions related to partnerships or collaborations between appli-
7 cants.

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

11 **“(b) The use of any automated license plate recognition system, as**
12 **defined in section 4 of this 2026 Act, purchased under this section must**
13 **comply with the provisions of sections 4 to 10 of this 2026 Act.**

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

18 **“SECTION 12.** ORS 192.345 is amended to read:

19 “192.345. The following public records are exempt from disclosure under
20 ORS 192.311 to 192.478 unless the public interest requires disclosure in the
21 particular instance:

22 “(1) Records of a public body pertaining to litigation to which the public
23 body is a party if the complaint has been filed, or if the complaint has not
24 been filed, if the public body shows that such litigation is reasonably likely
25 to occur. This exemption does not apply to litigation which has been con-
26 cluded, and nothing in this subsection shall limit any right or opportunity
27 granted by discovery or deposition statutes to a party to litigation or po-
28 tential litigation.

29 “(2) Trade secrets. ‘Trade secrets,’ as used in this section, may include,
30 but are not limited to, any formula, plan, pattern, process, tool, mechanism,

1 compound, procedure, production data, or compilation of information which
2 is not patented, which is known only to certain individuals within an or-
3 ganization and which is used in a business it conducts, having actual or
4 potential commercial value, and which gives its user an opportunity to ob-
5 tain a business advantage over competitors who do not know or use it.

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

14 “(a) The arrested person’s name, age, residence, employment, marital sta-
15 tus and similar biographical information;

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

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

18 “(d) The identity of and biographical information concerning both com-
19 plaining party and victim;

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

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

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

26 “(4) Test questions, scoring keys, and other data used to administer a li-
27 censing examination, employment, academic or other examination or testing
28 procedure before the examination is given and if the examination is to be
29 used again. Records establishing procedures for and instructing persons ad-
30 ministering, grading or evaluating an examination or testing procedure are

1 included in this exemption, to the extent that disclosure would create a risk
2 that the result might be affected.

3 “(5) Information consisting of production records, sale or purchase records
4 or catch records, or similar business records of a private concern or enter-
5 prise, required by law to be submitted to or inspected by a governmental
6 body to allow it to determine fees or assessments payable or to establish
7 production quotas, and the amounts of such fees or assessments payable or
8 paid, to the extent that such information is in a form that would permit
9 identification of the individual concern or enterprise. This exemption does
10 not include records submitted by long term care facilities as defined in ORS
11 442.015 to the state for purposes of reimbursement of expenses or determining
12 fees for patient care. Nothing in this subsection shall limit the use that can
13 be made of such information for regulatory purposes or its admissibility in
14 any enforcement proceeding.

15 “(6) Information relating to the appraisal of real estate prior to its ac-
16 quisition.

17 “(7) The names and signatures of employees who sign authorization cards
18 or petitions for the purpose of requesting representation or decertification
19 elections.

20 “(8) Investigatory information relating to any complaint filed under ORS
21 659A.820 or 659A.825, until such time as the complaint is resolved under ORS
22 659A.835, or a final order is issued under ORS 659A.850.

23 “(9) Investigatory information relating to any complaint or charge filed
24 under ORS 243.676 and 663.180.

25 “(10) Records, reports and other information received or compiled by the
26 Director of the Department of Consumer and Business Services under ORS
27 697.732.

28 “(11) Information concerning the location of archaeological sites or ob-
29 jects as those terms are defined in ORS 358.905, except if the governing body
30 of an Indian tribe requests the information and the need for the information

1 is related to that Indian tribe's cultural or religious activities. This ex-
2 emption does not include information relating to a site that is all or part
3 of an existing, commonly known and publicized tourist facility or attraction.

4 “(12) A personnel discipline action, or materials or documents supporting
5 that action.

6 “(13) Fish and wildlife information developed pursuant to ORS 496.004,
7 496.172 and 498.026 or ORS 496.192 and 564.100, regarding the habitat, lo-
8 cation or population of any threatened species or endangered species.

9 “(14) Writings prepared by or under the direction of faculty of public ed-
10 ucational institutions, in connection with research, until publicly released,
11 copyrighted or patented.

12 “(15) Computer programs developed or purchased by or for any public
13 body for its own use. As used in this subsection, ‘computer program’ means
14 a series of instructions or statements which permit the functioning of a
15 computer system in a manner designed to provide storage, retrieval and ma-
16 nipulation of data from such computer system, and any associated documen-
17 tation and source material that explain how to operate the computer
18 program. ‘Computer program’ does not include:

19 “(a) The original data, including but not limited to numbers, text, voice,
20 graphics and images;

21 “(b) Analyses, compilations and other manipulated forms of the original
22 data produced by use of the program; or

23 “(c) The mathematical and statistical formulas which would be used if the
24 manipulated forms of the original data were to be produced manually.

25 “(16) Data and information provided by participants to mediation under
26 ORS 36.256.

27 “(17) Investigatory information relating to any complaint or charge filed
28 under ORS chapter 654, until a final administrative determination is made
29 or, if a citation is issued, until an employer receives notice of any citation.

30 “(18) Specific operational plans in connection with an anticipated threat

1 to individual or public safety for deployment and use of personnel and
2 equipment, prepared or used by a public body, if public disclosure of the
3 plans would endanger an individual's life or physical safety or jeopardize a
4 law enforcement activity.

5 “(19)(a) Audits or audit reports required of a telecommunications carrier.
6 As used in this paragraph, ‘audit or audit report’ means any external or
7 internal audit or audit report pertaining to a telecommunications carrier, as
8 defined in ORS 133.721, or pertaining to a corporation having an affiliated
9 interest, as defined in ORS 759.390, with a telecommunications carrier that
10 is intended to make the operations of the entity more efficient, accurate or
11 compliant with applicable rules, procedures or standards, that may include
12 self-criticism and that has been filed by the telecommunications carrier or
13 affiliate under compulsion of state law. ‘Audit or audit report’ does not mean
14 an audit of a cost study that would be discoverable in a contested case pro-
15 ceeding and that is not subject to a protective order; and

16 “(b) Financial statements. As used in this paragraph, ‘financial
17 statement’ means a financial statement of a nonregulated corporation having
18 an affiliated interest, as defined in ORS 759.390, with a telecommunications
19 carrier, as defined in ORS 133.721.

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

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

26 “(a) Personal and corporate financial statements and information, in-
27 cluding tax returns;

28 “(b) Credit reports;

29 “(c) Project appraisals, excluding appraisals obtained in the course of
30 transactions involving an interest in real estate that is acquired, leased,

1 rented, exchanged, transferred or otherwise disposed of as part of the project,
2 but only after the transactions have closed and are concluded;

3 “(d) Market studies and analyses;

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

6 “(f) Commitment letters;

7 “(g) Project pro forma statements;

8 “(h) Project cost certifications and cost data;

9 “(i) Audits;

10 “(j) Project tenant correspondence requested to be confidential;

11 “(k) Tenant files relating to certification; and

12 “(L) Housing assistance payment requests.

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

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

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

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

21 “(23) Records or information that would reveal or otherwise identify se-
22 curity measures, or weaknesses or potential weaknesses in security measures,
23 taken or recommended to be taken to protect:

24 “(a) An individual;

25 “(b) Buildings or other property;

26 “(c) Information processing, communication or telecommunication sys-
27 tems, including the information contained in the systems; or

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

30 “(24) Personal information held by or under the direction of officials of

1 the Oregon Health and Science University or a public university listed in
2 ORS 352.002 about a person who has or who is interested in donating money
3 or property to the Oregon Health and Science University or a public uni-
4 versity, if the information is related to the family of the person, personal
5 assets of the person or is incidental information not related to the donation.

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

9 “(26) Records of the name and address of a person who files a report with
10 or pays an assessment to a commodity commission established under ORS
11 576.051 to 576.455, the Oregon Beef Council created under ORS 577.210 or the
12 Oregon Wheat Commission created under ORS 578.030.

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

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

19 “(29) The electronic mail address of a student who attends a public uni-
20 versity listed in ORS 352.002 or Oregon Health and Science University.

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

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

1 “(a) The home address and home telephone number of the public safety
2 officer or county juvenile department employee contained in the voter reg-
3 istration records for the officer or employee.

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

7 “(c) The name of the public safety officer or county juvenile department
8 employee contained in county real property assessment or taxation records.

9 This exemption:

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

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

15 “(C) Applies until the officer or employee requests termination of the ex-
16 emption;

17 “(D) Does not apply to disclosure of records among public bodies as de-
18 fined in ORS 174.109 for governmental purposes; and

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

22 “(32) Unless the public records request is made by a financial institution,
23 as defined in ORS 706.008, consumer finance company licensed under ORS
24 chapter 725, mortgage banker or mortgage broker licensed under ORS
25 86A.095 to 86A.198, or title company for business purposes, records described
26 in paragraph (a) of this subsection, if the exemption from disclosure of the
27 records is sought by an individual described in paragraph (b) of this sub-
28 section using the procedure described in paragraph (c) of this subsection:

29 “(a) The home address, home or cellular telephone number or personal
30 electronic mail address contained in the records of any public body that has

1 received the request that is set forth in:

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

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

7 “(b) The individual claiming the exemption from disclosure must be a
8 district attorney, a deputy district attorney, the Attorney General or an as-
9 sistant attorney general, the United States Attorney for the District of
10 Oregon or an assistant United States attorney for the District of Oregon, a
11 city attorney who engages in the prosecution of criminal matters or a deputy
12 city attorney who engages in the prosecution of criminal matters.

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

20 “(33) The following voluntary conservation agreements and reports:

21 “(a) Land management plans required for voluntary stewardship agree-
22 ments entered into under ORS 541.973; and

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

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

29 “(a) Apply to the formulas for determining dividends to be paid to em-
30 ployers insured by the State Accident Insurance Fund Corporation;

1 “(b) Apply to contracts for advertising, public relations or lobbying ser-
2 vices or to documents related to the formation of such contracts;

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

6 “(d) Provide the basis for opposing the discovery of documents in liti-
7 gation pursuant to the applicable rules of civil procedure.

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

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

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

20 “(38)(a) Personally identifiable information collected as part of an elec-
21 tronic fare collection system of a mass transit system.

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

26 “(c) As used in this subsection:

27 “(A) ‘Electronic fare collection system’ means the software and hardware
28 used for, associated with or relating to the collection of transit fares for a
29 mass transit system, including but not limited to computers, radio commu-
30 nication systems, personal mobile devices, wearable technology, fare instru-

ments, 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

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

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

9 “(40) Audio or video recordings, whether digital or analog, resulting from
10 a law enforcement officer’s operation of a video camera worn upon the
11 officer’s person that records the officer’s interactions with members of the
12 public while the officer is on duty. When a recording described in this sub-
13 section is subject to disclosure, the following apply:

14 “(a) Recordings that have been sealed in a court’s record of a court pro-
15 ceeding or otherwise ordered by a court not to be disclosed may not be dis-
16 closed.

17 “(b) A request for disclosure under this subsection must identify the ap-
18 proximate date and time of an incident for which the recordings are re-
19 quested and be reasonably tailored to include only that material for which
20 a public interest requires disclosure.

21 “(c) A video recording disclosed under this subsection must, prior to dis-
22 closure, be edited in a manner as to render the faces of all persons within
23 the recording unidentifiable.

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

28 “(42) Residential addresses of individuals with intellectual or develop-
29 mental disabilities residing in adult foster homes as defined in ORS 443.705
30 or residential training facilities or residential training homes as those terms

1 are defined in ORS 443.400.

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

6 “(44)(a) **Captured license plate data, as that term is defined in sec-**
7 **tion 4 of this 2026 Act, collected by an automated license plate recog-**
8 **nition system, as that term is defined in section 4 of this 2026 Act, if**
9 **the automated license plate recognition system is deployed or used by**
10 **a law enforcement agency. Except that the contents of an audit de-**
11 **scribed in section 7 of this 2026 Act shall be disclosed provided that the**
12 **contents are, prior to disclosure, edited in a manner as to remove all**
13 **personally identifiable information, including any license plate number**
14 **or vehicle characteristics relating to a person whose captured license**
15 **plate data is collected by an automated license plate recognition sys-**
16 **tem.**

17 “(b) When captured license plate data is subject to conditional dis-
18 closure, the following apply:

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

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

27 “(C) Captured license plate data that has been sealed in a court’s
28 record of a court proceeding or otherwise ordered by a court not to
29 be disclosed may not be disclosed, unless otherwise contained in an
30 audit described in section 7 of this 2026 Act.

1 **“(c) Nothing in this subsection shall limit any right constitutionally**
2 **guaranteed, or granted by statute, to disclosure or discovery in crim-**
3 **inal cases.”.**

4 On page 4, line 3, delete “4” and insert “13” and after “unit” insert “and
5 section”.

6 In line 9, delete “5” and insert “14”.

7
