

HB 4177-2
(LC 118)
2/16/26 (EKJ/ps)

Requested by HOUSE COMMITTEE ON RULES (at the request of Representative Nathan Sosa)

**PROPOSED AMENDMENTS TO
HOUSE BILL 4177**

1 On page 1 of the printed bill, line 2, after “192.630,” insert “192.640,
2 192.650.”.

3 On page 2, line 22, delete “governing body may not” and insert “public
4 body may not permit a governing body to”.

5 On page 3, after line 13, insert:

6 **“SECTION 3.** ORS 192.640 is amended to read:

7 “192.640. (1) [*The governing body of*] A public body shall provide for and
8 give public notice, reasonably calculated to give actual notice to interested
9 persons including news media which have requested notice, of the time and
10 place for holding regular meetings **of each of its governing bodies**. The
11 notice shall also include a list of the principal subjects anticipated to be
12 considered at the meeting, but this requirement shall not limit the ability
13 of a governing body to consider additional subjects.

14 “(2) If an executive session only will be held, the notice shall be given
15 to the members of the governing body, to the general public and to news
16 media which have requested notice, stating the specific provision of law au-
17 thorizing the executive session.

18 “(3) No special meeting shall be held without at least 24 hours’ notice to
19 the members of the governing body, the news media which have requested
20 notice and the general public. In case of an actual emergency, a meeting may
21 be held upon such notice as is appropriate to the circumstances, but the

1 minutes for such a meeting shall describe the emergency justifying less than
2 24 hours' notice.

3 **“SECTION 4.** ORS 192.650 is amended to read:

4 “192.650. (1) [*The governing body of*] A public body shall provide for the
5 sound, video or digital recording or the taking of written minutes of all
6 [its] meetings **for each of its governing bodies**. Neither a full transcript
7 nor a full recording of the meeting is required, except as otherwise provided
8 by law, but the written minutes or recording must give a true reflection of
9 the matters discussed at the meeting and the views of the participants. All
10 minutes or recordings shall be available to the public within a reasonable
11 time after the meeting, and shall include at least the following information:

12 “(a) All members of the governing body present;

13 “(b) All motions, proposals, resolutions, orders, ordinances and measures
14 proposed and their disposition;

15 “(c) The results of all votes and, except for public bodies consisting of
16 more than 25 members unless requested by a member of that body, the vote
17 of each member by name;

18 “(d) The substance of any discussion on any matter; and

19 “(e) Subject to ORS 192.311 to 192.478 relating to public records, a refer-
20 ence to any document discussed at the meeting.

21 “(2) Minutes of executive sessions shall be kept in accordance with sub-
22 section (1) of this section. However, the minutes of a hearing held under ORS
23 332.061 shall contain only the material not excluded under ORS 332.061 (2).
24 Instead of written minutes, a record of any executive session may be kept in
25 the form of a sound or video tape or digital recording, which need not be
26 transcribed unless otherwise provided by law. If the disclosure of certain
27 material is inconsistent with the purpose for which a meeting under ORS
28 192.660 is authorized to be held, that material may be excluded from disclo-
29 sure. However, excluded materials are authorized to be examined privately
30 by a court in any legal action and the court shall determine their

1 admissibility.

2 “(3) A reference in minutes or a recording to a document discussed at a
3 meeting of a governing body of a public body does not affect the status of
4 the document under ORS 192.311 to 192.478.

5 “(4) A public body may charge a person a fee under ORS 192.324 for the
6 preparation of a transcript from a recording.”.

7 In line 14, delete “3” and insert “5”.

8 In line 38, delete “4” and insert “6”.

9 In line 40, after “officials” insert “or by a public body”.

10 On page 4, line 10, after “body’s” insert “initial” and after “section” insert
11 “and ORS 192.705”.

12 In line 29, delete “5” and insert “7”.

13 On page 5, line 35, delete “6” and insert “8”.

14 On page 6, line 23, delete “7” and insert “9”

15 In line 24, after “body” insert “or public body”.

16 In line 26, after the first “body” insert “who is alleged to have violated
17 ORS 192.610 to 192.705 or”.

18 On page 7, line 6, after the first “The” insert “public body or the”.

19 In line 8, after “by” insert “the public body or”.

20 In line 13, after the first “the” insert “public body or the”.

21 Delete lines 14 and 15 and insert:

22 “(C) The practices and procedures of the governing body and the public
23 body will be modified to ensure that violations of ORS 192.610 to 192.705 do
24 not occur; or”.

25 In line 16, after “the” insert “public body or”.

26 In line 18, delete “(4)(a) and insert “(4)”.

27 In line 20, delete “those procedural” and insert “the”.

28 Delete lines 22 through 34.

29 In line 35, after “body’s” insert “initial”.

30 In line 38, delete “8” and insert “10”.

- 1 In line 45, after "body" insert "or actions of a public body".
- 2 On page 8, line 8, after "person" insert "or public body".
- 3 In line 28, delete "(a)".
- 4 Delete lines 34 through 38.
- 5 On page 9, line 39, after "person" insert "or public body".
- 6 In line 41, after "person" insert "or public body".
- 7 In line 44, after "person" insert "or public body".
- 8 On page 10, line 3, after "person" insert "or public body".
- 9 In line 9, after "person" insert "or public body".
- 10 On page 11, line 2, after "person" insert ", governing body or public body".
- 11 In line 9, delete "or the alleged violation is an administrative error".
- 12 In line 16, after "person" insert "or public body".
- 13 In line 21, after "person" insert "or public body".
- 14 Delete lines 23 through 26.
- 15 In line 27, restore "(a)" and delete "(b)".
- 16 In line 30, restore "(b)" and delete "(c)".
- 17 In line 31, restore "(c)" and delete "(d)".
- 18 In line 35, delete "9" and insert "11".
- 19 On page 12, line 2, after the first "of" insert "the public body or".
- 20 In line 18, after "section" insert "against a public official".
- 21 After line 21, insert:
 - 22 "(b) A civil penalty imposed against a public body under this section for a violation of ORS 192.610 to 192.705 is a liability of the public body against whom the penalty is imposed and shall be paid by the public body.". In line 22, delete "(b)" and insert "(c)".
 - 23 Delete lines 26 through 29 and insert:
 - 24 "(d) As used in this subsection, 'governing body' and 'public body' have the meanings given those terms in ORS 192.610.". In line 30, delete "10" and insert "12".

