

### **192.501 / General**

(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.

### **192.502 / General**

(4) Information submitted to a public body in confidence and not otherwise required by law to be submitted, where such information should reasonably be considered confidential, the public body has obliged itself in good faith not to disclose the information, and when the public interest would suffer by the disclosure.

### **192.501 / OHSU**

(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.

### **192.501 / SAIF**

(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 192.502 (35); or

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

### **192.502 / OHSU**

(21) Sensitive business records or financial or commercial information of the Oregon Health and Science University that is not customarily provided to business competitors.

(22) Records of Oregon Health and Science University regarding candidates for the position of president of the university.

## **192.502 / SAIF**

(35)(a) Employer account records of the State Accident Insurance Fund Corporation.

(b) As used in this subsection, “employer account records” means all records maintained in any form that are specifically related to the account of any employer insured, previously insured or under consideration to be insured by the State Accident Insurance Fund Corporation and any information obtained or developed by the corporation in connection with providing, offering to provide or declining to provide insurance to a specific employer. “Employer account records” includes, but is not limited to, an employer’s payroll records, premium payment history, payroll classifications, employee names and identification information, experience modification factors, loss experience and dividend payment history.

(c) The exemption provided by this subsection may not serve as the basis for opposition to the discovery documents in litigation pursuant to applicable rules of civil procedure.

(36)(a) Claimant files of the State Accident Insurance Fund Corporation.

(b) As used in this subsection, “claimant files” includes, but is not limited to, all records held by the corporation pertaining to a person who has made a claim, as defined in ORS 656.005, and all records pertaining to such a claim.

(c) The exemption provided by this subsection may not serve as the basis for opposition to the discovery documents in litigation pursuant to applicable rules of civil procedure.

### **Draft “Streamlining” Exemption**

(1) The following public records of any public body that, as a primary function of the public body, is regularly engaged in selling goods or services to private individuals or enterprises are exempt from public disclosure to the extent that they are not customarily provided to business competitors and would cause a competitive disadvantage for the public body:

- (a) sensitive business records;
- (b) commercial information;
- (c) financial information.

(2) The exemption created by subsection (1) of this subsection shall apply to the City of Klamath Falls to the extent it is acting solely in connection with the ownership and operation of the Klamath Cogeneration Project.

(3) The exemption created by subsection (1) of this section does not apply:

- (a) to cost of service studies used in the development or review of generally-applicable electricity rate schedules;
- (b) to formulas used by the State Accident Insurance Fund Corporation to determine dividends paid to insured employers;
- (c) to executed contracts to which the public body is a party, unless there is a separate statutory basis for exempting the contracts from public disclosure;
- (d) to records pertaining to transactions of the public body that are subject to a competitive procurement
- (e) if the public interest requires disclosure in the particular instance.