



Public Records Law Citations

PURPOSE

This resource provides references to key policies in records management.

PUBLIC RECORD

A public record is any information that...

- a) Is prepared, owned, used or retained by a state agency or political subdivision;
- b) Relates to an activity, transaction or function of a state agency or political subdivision; **and**
- c) Is necessary to satisfy the legal, administrative, fiscal, tribal, cultural or historical policies, requirements or needs of the state agency or political subdivision

[ORS 192.005\(5\)](#)

RETENTION & DISPOSITION

Each state agency or political subdivision shall maintain a public record or accurate copy of a public record in accordance with a retention schedule authorized under ORS 192.018 or ORS 192.105, without regard to the technology or medium used to create or communicate the record. [ORS 192.108](#)

Retention

Each state agency shall have a written policy that sets forth the agency's use, retention and ownership of public records. [ORS 192.018 \(1\)](#)



Disposition

Except as otherwise provided by law, the State Archivist may grant to public officials of the state or any political subdivision specific or continuing authorization for the retention or disposition of public records that are in their custody, after the records have been in existence for a specified period of time.

[ORS 192.105\(1\)](#)

DESTRUCTION OF RECORDS

The destruction or other disposal of the following materials do not require specific authorization:

- (1) Inquiries and requests from the public and answers thereto not required by law to be preserved or not required as evidence of a public or private legal right or liability.
- (2) Public records which are duplicates by reason of their having been photocopied.
- (3) Letters of transmittal and acknowledgment, advertising, announcements and correspondence or notes pertaining to reservations of accommodations or scheduling of personal visits or appearances.

[ORS 192.170](#)

ACCESS TO PUBLIC RECORDS

Every person has a right to inspect any public record of a public body in this state, except as otherwise expressly provided by ORS 192.338, ORS 192.345, and ORS 192.355.

[ORS 192.314\(1\)](#)

Related

- [*Exempt and nonexempt public record to be separated. ORS 192.338*](#)



- [Public records conditionally exempt from disclosure. ORS 192.345](#)
- [Public records exempt from disclosure. ORS 192.355](#)

ADDITIONAL RESOURCES

- [Records Retention Schedules](#)
- [Electronic Records Guidelines. OAR 166, Division 17](#)
- [Records Management Procedures Programs, OAR 166, Division 30](#)

