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PERMANENT ADMINISTRATIVE ORDER

ELECT 21-2026

CHAPTER 165
SECRETARY OF STATE
ELECTIONS DIVISION

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ARCHIVES DIVISION SECRETARY OF STATE & LEGISLATIVE COUNSEL

FILING CAPTION: Repeal of Schedule and Fees for Providing Copies of Public Records

EFFECTIVE DATE: 11/18/2026

AGENCY APPROVED DATE: 11/18/2026

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REPEAL: 165-002-0010

REPEAL: Temporary 165-002-0010 from ELECT 14-2026

RULE TITLE: Schedule and Fees for Providing Copies of Public Records

NOTICE FILED DATE: 09/14/2026

RULE SUMMARY: This rule is repealed. ORS 192.324(7) requires every public body to make available to the public a written procedure for making public records requests. The Secretary of State now makes this information available on the agency's Public Records Request portal (https://oregonsos.govqa.us/WEBAPP/_rs/) through its Public Records Disclosure Policy (the "Policy"). The Policy contains a section on fees and billing practices, and the agency otherwise charges for public records consistently with the Department of Administrative Services Statewide Policy No. 107-001-030. Therefore, OAR 165-002-0010, which contains a general fee schedule for public records requests, is no longer needed. It is also in conflict with the Policy. Moreover, the rule is outdated in that it references delivery technology that is no longer regularly utilized by the agency (photocopy, facsimile, 3.5-inch computer disk, and compact disk).

RULE TEXT:
(1) Any person may request photocopies, facsimile (fax) copies, electronically distributed (email) copies, certifications

and computer disks of public records which are on file in the Office of the Secretary of State, Elections Division in person, in writing, by telephone, by facsimile (fax) or by electronic submission (email). For purposes of this rule a page is considered to be a single sheet of paper with information on either one side or both sides.
(2) Charges for photocopy orders will be the lesser of:
(a) $0.25 per page; or
(b) For orders requiring 4 or more hours of staff time to process, $0.03 per page, plus labor charges calculated as provided in paragraph 7(b);
(c) If the completed photocopy order is mailed, the minimum charge will be $1.00 prepaid. If the order is to be billed, the minimum charge will be $5.00;
(d) There is no minimum charge for credit card transactions.
(3) Completion of copy orders is contingent upon the number of pending requests and staff availability. Orders will be processed in the order in which they are received.
(4) Facsimile (fax) copy orders shall be processed as follows:
(a) The cost of records transmitted by facsimile (fax) will be $5.00 for the first page and $1.00 for each additional page;
(b) Facsimile (fax) orders are limited to a 20 page maximum, not including the cover page;
(c) Facsimile (fax) orders are limited to in-state customers unless prepayment is received.
(5) Certified copies of public records shall be provided at a cost of $5.00 for each certification plus $0.25 for each page copied. Certified copies means photocopies which are certified to be true and accurate copies of the original documents.
(6) Copies of public records may also be provided on a 3.5-inch computer disk or compact disk (CD) if the document(s) are stored in the computer system. Disks will be provided at a cost of $5.00 per disk and may contain as much information as it will hold.
(7) Labor charges for research projects shall be as follows:
(a) No charge for the first 15 minutes of staff time;
(b) Beginning with the 16th minute, the charge per total request shall be $25.00 per hour or $6.25 per quarter-hour. No proration will be done for less than a quarter-hour;
(c) "Research", for purposes of this rule, is defined as the compilation of information:
(A) Which is not readily and immediately available from a single source or a group of related sources;
(B) Which requires a search to locate the requested information; or
(C) Where the request is not specific and a staff determination must be made as to the nature of the information which would fulfill the request.
(8) Billing will be done on the following basis:
(a) Payment must be made not later than 30 days after the billing date. If payment is not received and a second notice is required, an additional $5.00 may be charged;
(b) Billing will not be provided to any customer who has a past due balance from a previous order. Additional orders will be processed only upon receipt of the balance owed and prepayment of the cost of the new order.
(9) For orders, including research projects, which have an estimated total cost exceeding $50.00, a deposit of one-half of the estimated total cost of the order will be required prior to processing.
(10) The following will be provided free of charge:
(a) Copies of any manual produced and adopted by the Secretary of State, Elections Division, limited to one copy of each requested manual per customer;
(b) Lists of federal and statewide elected officials, the legislative assembly, judges, and district attorneys;
(c) Voter registration statistics;
(d) Press releases;
(e) 8.5" X 11" maps;
(f) Any document distributed by electronic mail (email); and
(g) The first 25 pages of any photocopy order placed by a state agency.

STATUTORY/OTHER AUTHORITY: ORS 192.440, 246.150

STATUTES/OTHER IMPLEMENTED: ORS 192.440