



Open Government Impact Statement

80th Oregon Legislative Assembly
2019 Regular Session

Measure: HB 2421

Only impacts on Original or Engrossed
Versions are Considered Official

Prepared by: Cameron D. Miles
Date: 1/14/2019

SUMMARY

Specifies procedures Director of Department of Consumer and Business Services may use to investigate violations of Insurance Code.

Permits complainant to submit complaint of violation to director and specifies required contents of complaint. Specifies procedures for director to investigate complaint and provides dates by which director must complete investigation.

Permits director to engage in negotiations to settle complaint or to enter into remediation agreement to remedy violation. Requires director to issue order to remedy violation if settlement negotiations or negotiations for remedial agreement fail.

Provides for person to bring action for violation of Insurance Code in specified circumstances.

Becomes operative January 1, 2020.

Declares emergency, effective on passage.

OPEN GOVERNMENT IMPACT

Legislative Counsel has not adopted standards for drafting measures that establish exemptions from disclosure of public records.

This measure exempts from public disclosure complaints filed with the Department of Consumer and Business Services regarding violations of the Insurance Code and information obtained while investigating or attempting to negotiate settlements regarding those complaints.

If those public records that could be subject to public disclosure were instead subject to mandatory disclosure under public records law, the public could gain information related to Insurance Code complaints, investigations and settlements. However, releasing that information could jeopardize the ability of the Department of Consumer and Business Services to investigate and negotiate settlements for Insurance Code violations.