**Attachment A**

Definitions

A. "Geospatial data" means digital data comprising geographic or projected map coordinate values, identification codes and associated descriptive data to locate and describe boundaries or features on, above or below the surface of the earth or characteristics of the earth's inhabitants or its natural or human-constructed features. “Geospatial data” and “geographic information” are synonymous for the purposes of this statute.

B. "Public body" means every state officer, agency, department, division, bureau, board and commission; every county and city governing body, school district, special district, municipal corporation, and any board, department, commission, council, or agency thereof; and any other public agency of this state, as defined in ORS 192.410(3).

Geospatial data sharing

A. Public bodies in Oregon are hereby directed to share any and all geospatial data, necessary for public safety, preparedness and/or emergency management and response, for which they are the custodian as per ORS 192.410(1), with any and all public bodies that engage in or support public safety, preparedness and/or emergency management and response activities, subject to the exemptions and provisions established in ORS 192.410 to 192.505 and other laws. The specific geospatial data sets, the affected agencies, and the frequency of data sharing, shall be determined in Oregon Administrative Rule prior to this statute taking effect.

B. The Department of Administrative Services shall provide electronic means whereby public bodies can easily share geospatial data with other public bodies in a secure manner. For geospatial data for which data standards have been adopted by the Department of Administrative Services as set out in ORS 291.038, the data shall be shared with the Department of Administrative Services in a format consistent with those standards. For geospatial data for which data standards have not yet been adopted by the Department of Administrative Services, the data shall be shared with the Geospatial Enterprise Office in the format in which the data is kept by the data custodian.

C. A public body that shares geospatial data with another public body for the purposes of this statute may:

1. Share geospatial data without entering into a written agreement with the other public body, subject to the exemptions and provisions in ORS 192.410 to 192.505 and other laws.

2. Share geospatial data of which it is the custodian, as defined in ORS 192.410(1).

3. Prohibit shared data from being redistributed by recipient public bodies if notification of the prohibition is given, as per ORS 192.502.

C. A public body that shares geospatial data with another public body for the purposes of this statute will retain custodial ownership of any geospatial data provided to other public bodies, as per ORS 192.410.

D. The geospatial data shall be shared with and by the Department of Administrative Services using appropriate information security protocols so that the data will only be accessible by public bodies authorized in this statute and in the accompanying administrative rules to have access to the data.

E. Geospatial data shared between public bodies is not subject to the provisions in ORS 190.050 related to fees for geographic data.

F. Geospatial data shared between public bodies is not subject to the provisions in ORS 192.440(4) related to fees for providing copies of public records. The intent of this legislation is to eliminate transfer of funds between public bodies for the purpose of sharing geospatial data necessary for public safety, preparedness, and/or emergency management and response, and the well-being of the citizens of and visitors to Oregon.

G. A public body that shares with another public body geospatial data of which it is the custodian is not liable for errors, inaccuracies or omissions in the data and shall be held harmless from and against all damage, loss or liability arising from any use of geospatial data that is shared with other public bodies.

H. Notwithstanding the other provisions of this statute, a public body that shares geospatial data or receives shared geospatial data may withhold the shared data from public disclosure if the data consist of critical infrastructure information.

I. In this statute, unless the context otherwise requires:

1. "Critical infrastructure" means systems and assets, whether physical or virtual, which are so vital to this state and the United States that the incapacity or destruction of those systems and assets would have a debilitating impact on security, economic security, public health or safety.

2. "Critical infrastructure information" means information that is not customarily in the public domain, including infrastructure information specifically defined in ORS 192.502(33), and that is related to the security of critical infrastructure or protected systems and that is related to any of the following:

(a) An attack, either physical or computer based.

(b) The ability of critical infrastructure to resist such an attack including planned or past assessments of vulnerability and risk management planning.

(c) Planned or past operational problems regarding critical infrastructure.

3. "Critical infrastructure information system" means a program that uses computer technologies to provide personnel who are involved in security planning and operations with real time information regarding critical infrastructure within this state and critical infrastructure located outside of this state that may affect the safety and well-being of citizens of this state.