

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. "Government agency" means any agency or instrumentality of the United States, this state, another state, a regional council of governments in this state, an Indian tribe, nation, community or band, any political subdivision of this state or another state or any foreign country, as further defined in ORS 190.

Geospatial data sharing

A. Government agencies in Oregon are hereby directed to share any and all geospatial data for which they are the custodian, as per ORS 192.410, with all other government agencies upon request.

B. The Oregon Geospatial Enterprise Office, formerly known as the State Service Center for Geographic Information Systems, in the Department of Administrative Services shall provide electronic means whereby government agencies can easily share geospatial data with other government agencies.

C. A government agency that shares geospatial data with another government agency may:

1. Share geospatial data without entering into a written agreement with the other government agency.
2. Share geospatial data of which it is the custodian, as defined in ORS 192.410.
3. Retain custodial ownership of any geospatial data provided to other government agencies, as per ORS 192.410.
4. Prohibit shared data from being redistributed by recipient government agencies if notification of the prohibition is given, as per ORS 192.502.

D. Geospatial data shared between government agencies is not subject to the provisions in ORS 190.050 related to fees for geographic data.

E. A government agency that shares with another government agency 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 government agencies.

F. Notwithstanding the other provisions of this statute, a government agency 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.

G. 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 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 advanced technologies to provide personnel who are involved in homeland 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.