

**REVENUE: No revenue impact**

**FISCAL: No fiscal impact**

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**Action:** Do Pass as Amended and Be Printed Engrossed

**Vote:** 4 - 1 - 0

**Yeas:** Beyer, Edwards C., Girod, Riley

**Nays:** Thatcher

**Exc.:** 0

**Prepared By:** Patrick Brennan, Administrator

**Meeting Dates:** 1/30, 4/12

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**WHAT THE MEASURE DOES:** Allows Secretary of State to refuse to file certain documents that contain unredacted Social Security numbers, state identification numbers, driver license numbers, credit or debit card numbers or account numbers. Deletes requirement that such numbers be included in certain documents filed with the Secretary of State. Directs the Secretary of State to develop a system that establishes unique identifiers for persons filing statements under the central filing system for farm products and to seek approval for that system from the Secretary of the U.S. Department of Agriculture. Declares an emergency and takes effect upon passage.

**ISSUES DISCUSSED:**

- Concern about the release of information used in identity theft
- Information used by data gathering businesses and lenders
- Unique identifier for farm products
- Documents to which the measure applies

**EFFECT OF COMMITTEE AMENDMENT:** Modifies section 2 to stipulate that the Secretary of State may refuse to file certain documents if they contain Social Security numbers, state identification numbers, driver license numbers, credit or debit card numbers, or account numbers that are not redacted. Deletes provision providing immunity from liability for officers or employees of the Secretary of State who disclose a document containing one of the listed identification numbers. Clarifies section 15 to apply to all persons subjecting farm products to security interests, regardless of whether they are debtors and clarifies that the requirements in the section are satisfied if the debtor has executed a security agreement.

**BACKGROUND:** All corporations, both domestic and those foreign corporations authorized to transact business in Oregon, are required to file documents on an annual basis with the Secretary of State. The Secretary of State Corporations Division maintains records of businesses, corporations, limited liability companies, limited liability partnerships, limited partnerships, nonprofit corporations, and business trusts. The purpose of this registration is to ensure disclosure on the public record of the real and true names of those persons transacting business in Oregon.

Identity theft has been a growing problem in recent years. Identity theft occurs when someone acquires key pieces of someone else's identity, such as name, date of birth, or Social Security number, with the intent to commit fraud. Once criminals have access to such information they can commit many different types of fraud, including taking over bank accounts or making purchases.

House Bill 2090-A seeks to further limit access to personal and corporate identification by allowing the Secretary of State to refuse to file certain documents that contain unredacted Social Security numbers, state identification numbers, driver license numbers, credit or debit card numbers or account numbers. The measure also deletes the requirement that such numbers be included in certain documents filed with the Secretary of State and prohibits the Secretary of State from disclosing these identifiers in documents provided upon receipt of a public records request. In addition, House Bill 2090-A directs the Secretary of State to develop a unique identifier, made up of a number/letter combination, to be used as part of the central filing system for farm products.

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***This summary has not been adopted or officially endorsed by action of the committee.***