

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action: Do Pass as Amended and Be Printed Engrossed

Vote: 5 - 0 - 0

Yeas: Avakian, Beyer, Gordly, Monroe, Prozanski

Nays: 0

Exc.: 0

Prepared By: Anna Braun, Administrator

Meeting Dates: 3/9, 4/11

WHAT THE MEASURE DOES: Enacts the Oregon Consumer Identity Theft Protection Act. Requires notification to consumers for breach of security of computerized data. Allows consumers to freeze, or block access to their credit, for \$10.00, or for free if they are a victim of identity theft. Allows consumers to temporarily lift freeze for \$10.00. Prohibits printing or displaying a social security number unless made unreadable, with exceptions. Creates duty to safeguard personal information. Authorizes the Department of Consumer and Business Services to enforce and make rules to regulate the provisions of the bill, including assessing penalties of not more than \$1,000 for every violation and \$500,000 for any occurrence. Declares an emergency, all provisions except the duty to safeguard take effect Oct 1, 2007. The duty to safeguard provision takes effect January 1, 2008.

ISSUES DISCUSSED:

- Product of a work group led by Senator Prozanski
- Comprehensiveness of the bill
- Importance of consumer protection measures
- Comparison to other states

EFFECT OF COMMITTEE AMENDMENT: Changes all references of individual to consumer, meaning the bill covers only Oregon residents. Provides greater exemptions for public court records. Adds the definitions of "extension of credit" and "debt." Deletes "access" from the definition of breach. Rewrites the personal information section. Removes foreign nation identification number from personal information. Changes continuing violation to "occurrence" in the penalty section. Rewrites the exemption for giving notice of breach to clarify that a reasonable likelihood of harm as a result of the breach will trigger the notification.

BACKGROUND: SB 583-A is the product of a seven month work group which included representatives from industry, consumer groups and government. It is a comprehensive bill providing consumer protection measures to prevent identity theft.

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