

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass

Vote: 9 - 0 - 0

Yeas: Doherty, Johnson, Keny-Guyer, Lively, Richardson, Smith, Thatcher, Vega Pederson, Holvey

Nays: 0

Exc.: 0

Prepared By: Bob Estabrook, Administrator

Meeting Dates: 5/7, 5/21

WHAT THE MEASURE DOES: Authorizes representative to request security freeze of protected consumer's consumer report or protective record, if proper identification, any required fee and sufficient proof of authority are provided. Requires consumer reporting agency to create protective record if security freeze is requested for protected consumer for whom no consumer report exists. Requires removal of security freeze in order to access information in protective record and specifies protective record is not subject to temporary lift of security freeze. Requires agency to remove freeze within 30 business days of request from consumer or representative. Makes provisions operative 91 days after effective date. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Recent case of breach of minor's personal information held by a school district
- Relationship between measure and existing identity theft prevention statutes

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: In 2007, the Legislative Assembly enacted Senate Bill 583, which became the Oregon Consumer Identity Theft Protection Act. The Act requires businesses and organizations which collect personal information from individuals, including social security numbers and driver's license numbers, to safeguard personal information. If personal information is subject to a security breach, the Act requires the business or organization to notify affected individuals. Additionally, the Act gives Oregonians the right to request security freezes on their credit files maintained by credit reporting agencies. Individuals can unfreeze or temporarily lift the freeze on credit files.

Senate Bill 574 A expands the Act to allow parents or guardians to freeze the credit reports of minors and protected persons. In the event that a protected person does not have a credit report, the measure requires credit reporting agencies to make a protective record for the individual and place a freeze on that record.