

HOUSE AMENDMENTS TO HOUSE BILL 4135

By COMMITTEE ON CONSUMER PROTECTION AND GOVERNMENT EFFICIENCY

February 12

1 On page 2 of the printed bill, after line 31, insert:

2 **“SECTION 1a. (1) As used in this section, ‘information resources’ and ‘information**
3 **technology’ have the meanings given those terms in ORS 291.038.**

4 **“(2) The State Chief Information Officer shall formulate rules, policies and standards to**
5 **ensure that a person other than a state employee, a state official or an officer or agent of**
6 **a state agency that provides information resources or information technology to a state**
7 **agency may not, except as provided in subsection (3) of this section:**

8 **“(a) Use data or information the person acquires, compiles or derives in the course of**
9 **providing information resources or information technology to a state agency in order to**
10 **create or assist in creating:**

11 **“(A) Online advertising based on a user’s identifiable characteristics or online behavior;**
12 **or**

13 **“(B) A profile of a user or the user’s household or family members;**

14 **“(b) Sell for commercial gain, or for another purpose that provides a pecuniary benefit**
15 **primarily to the person or an affiliate of the person, data or information the person acquires,**
16 **compiles or derives in the course of providing information resources or information tech-**
17 **nology to a state agency; or**

18 **“(c) Use data or information the person acquires, compiles or derives in the course of**
19 **providing information resources or information technology to a state agency in order to en-**
20 **gage in activities that weaken, reduce or compromise the privacy interests of state officials,**
21 **state employees, clients of state agencies or other individuals or entities to whom a state**
22 **agency has a duty of confidentiality.**

23 **“(3) The provisions of subsection (2) of this section do not apply to data or information**
24 **a person acquires, compiles or derives for the purpose of implementing and maintaining the**
25 **security, integrity or intended functions of information resources or information technology**
26 **the person provides to a state agency.”.**

27 On page 6, line 29, delete “Section 1” and insert “Sections 1 and 1a”.

28 In line 36, delete “section 1” and insert “sections 1 and 1a”.

29