

**PROPOSED AMENDMENTS TO
HOUSE BILL 4135**

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

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

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

10 **“(a) Use data or information the person acquires, compiles or de-**
11 **rides in the course of providing information resources or information**
12 **technology to a state agency in order to create or assist in creating:**

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

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

16 **“(b) Sell for commercial gain, or for another purpose that provides**
17 **a pecuniary benefit primarily to the person or an affiliate of the per-**
18 **son, data or information the person acquires, compiles or derives in**
19 **the course of providing information resources or information technol-**
20 **ogy to a state agency; or**

21 **“(c) Use data or information the person acquires, compiles or de-**
22 **rides in the course of providing information resources or information**

1 **technology to a state agency in order to engage in activities that**
2 **weaken, reduce or compromise the privacy interests of state officials,**
3 **state employees, clients of state agencies or other individuals or enti-**
4 **ties to whom a state agency has a duty of confidentiality.**

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

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

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

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