

PRELIMINARY STAFF MEASURE SUMMARY

CARRIER:

House Committee on Consumer Protection and Government Effectiveness

REVENUE: No revenue impact

FISCAL: May have fiscal impact, statement not yet issued

SUBSEQUENT REFERRAL TO: None

Action:

Vote:

Yeas:

Nays:

Exc.:

Prepared By: Wendy Simons, Administrator

Meeting Dates:

WHAT THE MEASURE DOES: Prohibits person from sending check, draft or payment instrument to consumer in relation to solicitation for or offer of credit or loan unless consumer requested or consented to receive check, draft or payment instrument. Provides that consumer’s previous written request or consent must be affirmative and separate from any other agreement. Becomes operative 91 days after effective date. Declares emergency, effective upon passage.

ISSUES DISCUSSED:

EFFECT OF COMMITTEE AMENDMENT: No amendments.

BACKGROUND: Oregon law currently prohibits a person from mailing a check, draft or other payment instrument that obligates a person who deposits or cashes the check, draft or instrument to make any payment. House Bill 2909 adds a prohibition from sending a check, draft or payment instrument to a consumer if that consumer has not affirmatively and in writing, separate from any other agreement, requested or consented to receive it.