

SB 769 -1 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

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Meeting Dates: 3/6, 3/16

WHAT THE MEASURE DOES:

Prohibits disposal of material or media displaying consumer's Social Security number unless person makes number unreadable or prevents reconstruction of number.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 Specifies that person may not dispose of, or transfer to another for disposal, any material displaying a consumer's Social Security number unless the person makes the number unreadable or unrecoverable or ensures the person disposing of the material makes the number unreadable or unrecoverable.

BACKGROUND:

Oregon's Consumer Identity Theft Protection Act prohibits a person from publicly posting or displaying a consumer's Social Security number, unless redacted. "Publicly posted or publicly displayed" means "to communicate or otherwise make available to the public." See ORS 646A.620(1). In a recent Oregon Court of Appeals decision, the court concluded that a company that placed 30 boxes of mortgage documents with unredacted Social Security numbers in a public dumpster was not in violation of the statute because placing the documents in a dumpster did not make them accessible to the public at large. See *122nd Group, LLC v DCBS*, 280 Or App 209 (2016).

Senate Bill 769 adds specific provisions to ensure that the person may not dispose of documents that display a consumer's Social Security number unless the document has been redacted or made unreadable prior to disposal.