

Requested by Representative WILLIAMSON

**PROPOSED AMENDMENTS TO
HOUSE BILL 2813**

1 In line 2 of the printed bill, after “privacy” insert “; creating new pro-
2 visions; amending ORS 646.608; and declaring an emergency”.

3 Delete lines 4 through 7 and insert:

4 **“SECTION 1. As used in sections 1 to 5 of this 2017 Act:**

5 **“(1)(a) ‘Broadband Internet access service’ means:**

6 **“(A) A mass-market retail service provided by wire or radio that**
7 **enables a customer to transmit data to or receive data from Internet**
8 **endpoints;**

9 **“(B) Any service that the Federal Communications Commission**
10 **finds is providing a service that is the functional equivalent of the**
11 **service described in subparagraph (A) of this paragraph; or**

12 **“(C) Any service that is incidental to or that enables the operation**
13 **of the service described in subparagraph (A) of this paragraph.**

14 **“(b) ‘Broadband Internet access service’ does not include dial-up**
15 **Internet access service.**

16 **“(2) ‘Broadband Internet access service provider’ means a person**
17 **that provides broadband Internet access service.**

18 **“(3) ‘Customer’ means:**

19 **“(a) A current or former subscriber to broadband Internet access**
20 **service; or**

21 **“(b) A person applying for a subscription to broadband Internet**

1 access service.

2 “(4) ‘Customer personal information’ means:

3 “(a) Any information about an individual customer, including:

4 “(A) The name of the customer;

5 “(B) The address of the customer;

6 “(C) The billing or other financial information of the customer;

7 “(D) The Social Security number of the customer; and

8 “(E) Any demographic data associated with the customer.

9 “(b) Information about an individual customer’s use of broadband
10 Internet access service, including:

11 “(A) The customer’s Internet browsing history;

12 “(B) The customer’s application usage history;

13 “(C) Any device identifier associated with the customer’s sub-
14 scription to broadband Internet access service, such as a media access
15 control address, an international mobile equipment identity or an
16 Internet Protocol address;

17 “(D) Any Internet Protocol address to which the customer sends or
18 from which the customer receives a communication;

19 “(E) The customer’s precise location; and

20 “(F) The content of the customer’s Internet communications, in-
21 cluding information pertaining to the customer’s finances, health or
22 children.

23 **“SECTION 2. (1) A broadband Internet access service provider may
24 not disclose, sell or permit access to customer personal information,
25 except as permitted under this section.**

26 **“(2)(a) A broadband Internet access service provider may disclose,
27 sell or permit access to customer personal information if the customer
28 gives the broadband Internet access service provider express consent
29 to disclose, sell or permit access to the customer personal information
30 of the customer.**

1 **“(b) A customer that gives consent under this subsection may re-**
2 **voke the consent at any time by communicating the revocation to the**
3 **broadband Internet access service provider. For purposes of this par-**
4 **agraph, a broadband Internet access service provider must provide**
5 **customers with an easily accessible means of communicating a revo-**
6 **cation.**

7 **“(c) A broadband Internet access service provider may not:**

8 **“(A) Refuse to provide broadband Internet access service to a cus-**
9 **tomer on the basis that the customer does not give consent under**
10 **paragraph (a) of this subsection;**

11 **“(B) Charge a customer a higher price for broadband Internet ac-**
12 **cess service on the basis that the customer does not give consent un-**
13 **der paragraph (a) of this subsection; or**

14 **“(C) Offer a customer a discount on broadband Internet access**
15 **service on the basis that the customer gives consent under paragraph**
16 **(a) of this subsection.**

17 **“(3) A broadband Internet access service provider may disclose, sell**
18 **or permit access to customer personal information without the cus-**
19 **tomer giving the broadband Internet access service provider consent**
20 **for the following purposes:**

21 **“(a) To directly provide the customer with information about the**
22 **broadband Internet access service or other communications related**
23 **services offered by the broadband Internet access service provider;**

24 **“(b) To initiate or render broadband Internet access service;**

25 **“(c) To bill and collect moneys owed for broadband Internet access**
26 **service;**

27 **“(d) To protect the rights or property of the broadband Internet**
28 **access service provider, or the rights or property of customers or other**
29 **broadband Internet access service providers, in cases involving fraud**
30 **or abusive or unlawful use of or subscription to broadband Internet**

1 access service;

2 “(e) To comply with a court order;

3 “(f) To provide the precise location of the customer:

4 “(A) In an emergency situation, to a public safety answering point,
5 emergency medical services provider, emergency dispatch center, law
6 enforcement officer or agency, fire service professional or agency,
7 hospital or trauma care facility;

8 “(B) In an emergency situation involving the risk of death or seri-
9 ous bodily harm to the customer’s legal guardian or a member of the
10 customer’s immediate family; or

11 “(C) In response to an emergency situation, to providers of infor-
12 mation or providers of database management services for the sole
13 purpose of assisting the delivery of emergency services; and

14 “(g) To disclose, sell or permit access to an aggregate dataset from
15 which information that may be used to identify an individual customer
16 has been removed, provided that all persons that have access to the
17 aggregate dataset agree to not use information in the aggregate data-
18 set for purposes of identifying an individual customer.

19 “SECTION 3. (1) A broadband Internet access service provider must
20 take reasonable measures to protect customer personal information
21 from unauthorized use, disclosure or access.

22 “(2) In taking reasonable measures under this section, a broadband
23 Internet access service provider must take into account each of the
24 following factors:

25 “(a) The nature and scope of the activities of the broadband Inter-
26 net access service provider;

27 “(b) The sensitivity of the data collected by the broadband Internet
28 access service provider;

29 “(c) Administrative safeguards necessary to protect customer per-
30 sonal information, such as:

1 “(A) Designating one or more employees to coordinate efforts to
2 protect customer personal information;

3 “(B) Identifying reasonably foreseeable internal and external risks
4 associated with the activities of the broadband Internet access service
5 provider;

6 “(C) Assessing whether existing safeguards provide adequate pro-
7 tection from the identified risks;

8 “(D) Training and managing employees in practices and procedures
9 related to protecting customer personal information; and

10 “(E) Adjusting existing safeguards in light of changes to business
11 practices or new circumstances;

12 “(d) Technical safeguards necessary to protect customer personal
13 information, such as:

14 “(A) Assessing risks in the network and software design of the
15 broadband Internet access service;

16 “(B) Assessing risks in the processing, transmission and storage of
17 information by the broadband Internet access service;

18 “(C) Detecting, preventing and responding to intrusions upon, at-
19 tacks against or system failures of the broadband Internet access ser-
20 vice; and

21 “(D) Regularly testing and monitoring the effectiveness of key
22 controls and systems of and procedures used to operate the broadband
23 Internet access service;

24 “(e) Physical safeguards necessary to protect customer personal
25 information, such as:

26 “(A) Assessing risks in the storage and disposal of information by
27 the broadband Internet access service;

28 “(B) Detecting, preventing and responding to intrusions upon, at-
29 tacks against or system failures of the broadband Internet access ser-
30 vice;

1 **“(C) Protecting against unauthorized access to or use of customer**
2 **personal information during or after collecting, transporting, destroy-**
3 **ing or disposing of customer personal information; and**

4 **“(D) Disposing of customer personal information after the**
5 **broadband Internet access service provider no longer needs the cus-**
6 **tomer personal information for business purposes or as required by**
7 **local, state or federal law;**

8 **“(f) Any factor or combination of factors described in this sub-**
9 **section for the purpose of determining whether the factor or combi-**
10 **nation of factors would enable a person to commit identity theft**
11 **against a customer; and**

12 **“(g) The technical feasibility of potential measures.**

13 **“(3) A broadband Internet access service provider may take any**
14 **lawful measure that allows the broadband Internet access service**
15 **provider to comply with the requirements of this section.**

16 **“SECTION 4. A broadband Internet access service provider must**
17 **provide clear, conspicuous and nondeceptive notice of the require-**
18 **ments and allowances described in sections 2 and 3 of this 2017 Act to**
19 **a customer before the customer subscribes to the broadband Internet**
20 **access service.**

21 **“SECTION 5. A customer whose customer personal information is**
22 **disclosed or sold or to which access is granted in violation of section**
23 **2 of this 2017 Act has a private right of action against the broadband**
24 **Internet access service provider that disclosed, sold or permitted ac-**
25 **cess to the customer personal information.**

26 **“SECTION 6. ORS 646.608 is amended to read:**

27 **“646.608. (1) A person engages in an unlawful practice if in the course of**
28 **the person’s business, vocation or occupation the person does any of the**
29 **following:**

30 **“(a) Passes off real estate, goods or services as the real estate, goods or**

1 services of another.

2 “(b) Causes likelihood of confusion or of misunderstanding as to the
3 source, sponsorship, approval, or certification of real estate, goods or ser-
4 vices.

5 “(c) Causes likelihood of confusion or of misunderstanding as to affil-
6 iation, connection, or association with, or certification by, another.

7 “(d) Uses deceptive representations or designations of geographic origin
8 in connection with real estate, goods or services.

9 “(e) Represents that real estate, goods or services have sponsorship, ap-
10 proval, characteristics, ingredients, uses, benefits, quantities or qualities that
11 the real estate, goods or services do not have or that a person has a spon-
12 sorship, approval, status, qualification, affiliation, or connection that the
13 person does not have.

14 “(f) Represents that real estate or goods are original or new if the real
15 estate or goods are deteriorated, altered, reconditioned, reclaimed, used or
16 secondhand.

17 “(g) Represents that real estate, goods or services are of a particular
18 standard, quality, or grade, or that real estate or goods are of a particular
19 style or model, if the real estate, goods or services are of another.

20 “(h) Disparages the real estate, goods, services, property or business of a
21 customer or another by false or misleading representations of fact.

22 “(i) Advertises real estate, goods or services with intent not to provide
23 the real estate, goods or services as advertised, or with intent not to supply
24 reasonably expectable public demand, unless the advertisement discloses a
25 limitation of quantity.

26 “(j) Makes false or misleading representations of fact concerning the
27 reasons for, existence of, or amounts of price reductions.

28 “(k) Makes false or misleading representations concerning credit avail-
29 ability or the nature of the transaction or obligation incurred.

30 “(L) Makes false or misleading representations relating to commissions

1 or other compensation to be paid in exchange for permitting real estate,
2 goods or services to be used for model or demonstration purposes or in ex-
3 change for submitting names of potential customers.

4 “(m) Performs service on or dismantles any goods or real estate if the
5 owner or apparent owner of the goods or real estate does not authorize the
6 service or dismantling.

7 “(n) Solicits potential customers by telephone or door to door as a seller
8 unless the person provides the information required under ORS 646.611.

9 “(o) In a sale, rental or other disposition of real estate, goods or services,
10 gives or offers to give a rebate or discount or otherwise pays or offers to pay
11 value to the customer in consideration of the customer giving to the person
12 the names of prospective purchasers, lessees, or borrowers, or otherwise
13 aiding the person in making a sale, lease, or loan to another person, if
14 earning the rebate, discount or other value is contingent upon an event oc-
15 ccurring after the time the customer enters into the transaction.

16 “(p) Makes any false or misleading statement about a prize, contest or
17 promotion used to publicize a product, business or service.

18 “(q) Promises to deliver real estate, goods or services within a certain
19 period of time with intent not to deliver the real estate, goods or services
20 as promised.

21 “(r) Organizes or induces or attempts to induce membership in a pyramid
22 club.

23 “(s) Makes false or misleading representations of fact concerning the of-
24 fering price of, or the person’s cost for real estate, goods or services.

25 “(t) Concurrent with tender or delivery of any real estate, goods or ser-
26 vices fails to disclose any known material defect or material nonconformity.

27 “(u) Engages in any other unfair or deceptive conduct in trade or com-
28 merce.

29 “(v) Violates any of the provisions relating to auction sales, consignment
30 sales, auctioneers, consignees or auction marts under ORS 698.640, whether

1 in a commercial or noncommercial situation.

2 “(w) Manufactures mercury fever thermometers.

3 “(x) Sells or supplies mercury fever thermometers unless the thermometer
4 is required by federal law, or is:

5 “(A) Prescribed by a person licensed under ORS chapter 677; and

6 “(B) Supplied with instructions on the careful handling of the
7 thermometer to avoid breakage and on the proper cleanup of mercury should
8 breakage occur.

9 “(y) Sells a thermostat that contains mercury unless the thermostat is
10 labeled in a manner to inform the purchaser that mercury is present in the
11 thermostat and that the thermostat may not be disposed of until the mercury
12 is removed, reused, recycled or otherwise managed to ensure that the mer-
13 cury does not become part of the solid waste stream or wastewater. For
14 purposes of this paragraph, ‘thermostat’ means a device commonly used to
15 sense and, through electrical communication with heating, cooling or venti-
16 lation equipment, control room temperature.

17 “(z) Sells or offers for sale a motor vehicle manufactured after January
18 1, 2006, that contains mercury light switches.

19 “(aa) Violates the provisions of ORS 803.375, 803.385 or 815.410 to 815.430.

20 “(bb) Violates ORS 646A.070 (1).

21 “(cc) Violates any requirement of ORS 646A.030 to 646A.040.

22 “(dd) Violates the provisions of ORS 128.801 to 128.898.

23 “(ee) Violates ORS 646.883 or 646.885.

24 “(ff) Violates ORS 646.569.

25 “(gg) Violates the provisions of ORS 646A.142.

26 “(hh) Violates ORS 646A.360.

27 “(ii) Violates ORS 646.553 or 646.557 or any rule adopted pursuant thereto.

28 “(jj) Violates ORS 646.563.

29 “(kk) Violates ORS 759.690 or any rule adopted pursuant thereto.

30 “(LL) Violates the provisions of ORS 759.705, 759.710 and 759.720 or any

1 rule adopted pursuant thereto.

2 “(mm) Violates ORS 646A.210 or 646A.214.

3 “(nn) Violates any provision of ORS 646A.124 to 646A.134.

4 “(oo) Violates ORS 646A.095.

5 “(pp) Violates ORS 822.046.

6 “(qq) Violates ORS 128.001.

7 “(rr) Violates ORS 646A.800 (2) to (4).

8 “(ss) Violates ORS 646A.090 (2) to (4).

9 “(tt) Violates ORS 87.686.

10 “(uu) Violates ORS 646A.803.

11 “(vv) Violates ORS 646A.362.

12 “(ww) Violates ORS 646A.052 or any rule adopted under ORS 646A.052 or
13 646A.054.

14 “(xx) Violates ORS 180.440 (1) or 180.486 (1).

15 “(yy) Commits the offense of acting as a vehicle dealer without a certif-
16 icate under ORS 822.005.

17 “(zz) Violates ORS 87.007 (2) or (3).

18 “(aaa) Violates ORS 92.405 (1), (2) or (3).

19 “(bbb) Engages in an unlawful practice under ORS 646.648.

20 “(ccc) Violates ORS 646A.365.

21 “(ddd) Violates ORS 98.854 or 98.858 or a rule adopted under ORS 98.864.

22 “(eee) Sells a gift card in violation of ORS 646A.276.

23 “(fff) Violates ORS 646A.102, 646A.106 or 646A.108.

24 “(ggg) Violates ORS 646A.430 to 646A.450.

25 “(hhh) Violates a provision of ORS 744.318 to 744.384.

26 “(iii) Violates a provision of ORS 646A.702 to 646A.720.

27 “(jjj) Violates ORS 646A.530 30 or more days after a recall notice, warning
28 or declaration described in ORS 646A.530 is issued for the children’s product,
29 as defined in ORS 646A.525, that is the subject of the violation.

30 “(kkk) Violates a provision of ORS 697.612, 697.642, 697.652, 697.662,

1 697.682, 697.692 or 697.707.

2 “(LLL) Violates the consumer protection provisions of the
3 Servicemembers Civil Relief Act, 50 U.S.C. App. 501 et seq., as in effect on
4 January 1, 2010.

5 “(mmm) Violates a provision of ORS 646A.480 to 646A.495.

6 “(nnn) Violates ORS 646A.082.

7 “(ooo) Violates ORS 646.647.

8 “(ppp) Violates ORS 646A.115.

9 “(qqq) Violates a provision of ORS 646A.405.

10 “(rrr) Violates ORS 646A.092.

11 “(sss) Violates a provision of ORS 646.644.

12 “(ttt) Violates a provision of ORS 646A.295.

13 “(uuu) Violates ORS 646A.564.

14 “(vvv) Engages in the business of, or acts in the capacity of, an immi-
15 gration consultant, as defined in ORS 9.280, in this state and for compen-
16 sation, unless federal law authorizes the person to do so or unless the person
17 is an active member of the Oregon State Bar.

18 “(www) Violates ORS 702.012, 702.029, 702.032 or 702.054.

19 “(xxx) Violates ORS 646A.806.

20 “(yyy) Violates ORS 646A.810 (2).

21 “(zzz) Violates a provision of sections 1 to 7, chapter 523, Oregon Laws
22 2015.

23 **“(aaaa) Violates sections 1 to 5 of this 2017 Act.**

24 “(2) A representation under subsection (1) of this section or ORS 646.607
25 may be any manifestation of any assertion by words or conduct, including,
26 but not limited to, a failure to disclose a fact.

27 “(3) In order to prevail in an action or suit under ORS 336.184 and 646.605
28 to 646.652, a prosecuting attorney need not prove competition between the
29 parties or actual confusion or misunderstanding.

30 “(4) An action or suit may not be brought under subsection (1)(u) of this

1 section unless the Attorney General has first established a rule in accord-
2 ance with the provisions of ORS chapter 183 declaring the conduct to be
3 unfair or deceptive in trade or commerce.

4 “(5) Notwithstanding any other provision of ORS 336.184 and 646.605 to
5 646.652, if an action or suit is brought under subsection (1)(xx) of this section
6 by a person other than a prosecuting attorney, relief is limited to an in-
7 junction and the prevailing party may be awarded reasonable attorney fees.

8 **“SECTION 7.** ORS 646.608, as amended by section 10, chapter 523, Oregon
9 Laws 2015, is amended to read:

10 “646.608. (1) A person engages in an unlawful practice if in the course of
11 the person’s business, vocation or occupation the person does any of the
12 following:

13 “(a) Passes off real estate, goods or services as the real estate, goods or
14 services of another.

15 “(b) Causes likelihood of confusion or of misunderstanding as to the
16 source, sponsorship, approval, or certification of real estate, goods or ser-
17 vices.

18 “(c) Causes likelihood of confusion or of misunderstanding as to affil-
19 iation, connection, or association with, or certification by, another.

20 “(d) Uses deceptive representations or designations of geographic origin
21 in connection with real estate, goods or services.

22 “(e) Represents that real estate, goods or services have sponsorship, ap-
23 proval, characteristics, ingredients, uses, benefits, quantities or qualities that
24 the real estate, goods or services do not have or that a person has a spon-
25 sorship, approval, status, qualification, affiliation, or connection that the
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1 standard, quality, or grade, or that real estate or goods are of a particular
2 style or model, if the real estate, goods or services are of another.

3 “(h) Disparages the real estate, goods, services, property or business of a
4 customer or another by false or misleading representations of fact.

5 “(i) Advertises real estate, goods or services with intent not to provide
6 the real estate, goods or services as advertised, or with intent not to supply
7 reasonably expectable public demand, unless the advertisement discloses a
8 limitation of quantity.

9 “(j) Makes false or misleading representations of fact concerning the
10 reasons for, existence of, or amounts of price reductions.

11 “(k) Makes false or misleading representations concerning credit avail-
12 ability or the nature of the transaction or obligation incurred.

13 “(L) Makes false or misleading representations relating to commissions
14 or other compensation to be paid in exchange for permitting real estate,
15 goods or services to be used for model or demonstration purposes or in ex-
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18 owner or apparent owner of the goods or real estate does not authorize the
19 service or dismantling.

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2 period of time with intent not to deliver the real estate, goods or services
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24 thermostat and that the thermostat may not be disposed of until the mercury
25 is removed, reused, recycled or otherwise managed to ensure that the mer-
26 cury does not become part of the solid waste stream or wastewater. For
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- 24 “(vv) Violates ORS 646A.362.
- 25 “(ww) Violates ORS 646A.052 or any rule adopted under ORS 646A.052 or
26 646A.054.
- 27 “(xx) Violates ORS 180.440 (1) or 180.486 (1).
- 28 “(yy) Commits the offense of acting as a vehicle dealer without a certif-
29 icate under ORS 822.005.
- 30 “(zz) Violates ORS 87.007 (2) or (3).

1 “(aaa) Violates ORS 92.405 (1), (2) or (3).
2 “(bbb) Engages in an unlawful practice under ORS 646.648.
3 “(ccc) Violates ORS 646A.365.
4 “(ddd) Violates ORS 98.854 or 98.858 or a rule adopted under ORS 98.864.
5 “(eee) Sells a gift card in violation of ORS 646A.276.
6 “(fff) Violates ORS 646A.102, 646A.106 or 646A.108.
7 “(ggg) Violates ORS 646A.430 to 646A.450.
8 “(hhh) Violates a provision of ORS 744.318 to 744.384.
9 “(iii) Violates a provision of ORS 646A.702 to 646A.720.
10 “(jjj) Violates ORS 646A.530 30 or more days after a recall notice, warning
11 or declaration described in ORS 646A.530 is issued for the children’s product,
12 as defined in ORS 646A.525, that is the subject of the violation.
13 “(kkk) Violates a provision of ORS 697.612, 697.642, 697.652, 697.662,
14 697.682, 697.692 or 697.707.
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16 Servicemembers Civil Relief Act, 50 U.S.C. App. 501 et seq., as in effect on
17 January 1, 2010.
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27 “(vvv) Engages in the business of, or acts in the capacity of, an immi-
28 gration consultant, as defined in ORS 9.280, in this state and for compen-
29 sation, unless federal law authorizes the person to do so or unless the person
30 is an active member of the Oregon State Bar.

1 “(www) Violates ORS 702.012, 702.029, 702.032 or 702.054.

2 “(xxx) Violates ORS 646A.806.

3 “(yyy) Violates ORS 646A.810 (2).

4 “(zzz) **Violates sections 1 to 5 of this 2017 Act.**

5 “(2) A representation under subsection (1) of this section or ORS 646.607
6 may be any manifestation of any assertion by words or conduct, including,
7 but not limited to, a failure to disclose a fact.

8 “(3) In order to prevail in an action or suit under ORS 336.184 and 646.605
9 to 646.652, a prosecuting attorney need not prove competition between the
10 parties or actual confusion or misunderstanding.

11 “(4) An action or suit may not be brought under subsection (1)(u) of this
12 section unless the Attorney General has first established a rule in accord-
13 ance with the provisions of ORS chapter 183 declaring the conduct to be
14 unfair or deceptive in trade or commerce.

15 “(5) Notwithstanding any other provision of ORS 336.184 and 646.605 to
16 646.652, if an action or suit is brought under subsection (1)(xx) of this section
17 by a person other than a prosecuting attorney, relief is limited to an in-
18 junction and the prevailing party may be awarded reasonable attorney fees.

19 “**SECTION 8. (1) The Task Force on Broadband Security is estab-**
20 **lished.**

21 “**(2) The task force consists of 11 members appointed as follows:**

22 “**(a) The Speaker of the House of Representatives shall appoint two**
23 **nonvoting members from among members of the House of Represen-**
24 **tatives.**

25 “**(b) The Governor shall appoint the following nine members:**

26 “**(A) Three advocates of the right to privacy;**

27 “**(B) Three representatives of broadband Internet access service**
28 **providers;**

29 “**(C) Two representatives of cellular phone service providers; and**

30 “**(D) One representative of the Department of Justice.**

1 **“(3) The task force shall:**

2 **“(a) Study sections 1 to 5 of this 2017 Act and the laws of other**
3 **states regulating the privacy of customer personal information with**
4 **respect to broadband Internet access service;**

5 **“(b) Compare sections 1 to 5 of this 2017 Act and the laws of the**
6 **other states regulating the privacy of customer personal information**
7 **with respect to broadband Internet access service;**

8 **“(c) Determine steps that are necessary to ensure compatibility**
9 **between sections 1 to 5 of this 2017 Act and the laws of the other states**
10 **regulating the privacy of customer personal information with respect**
11 **to broadband Internet access service; and**

12 **“(d) Examine questions or concerns about the implementation of**
13 **sections 1 to 5 of this 2017 Act by broadband Internet access service**
14 **providers and determine whether those questions or concerns require**
15 **administrative or legislative action.**

16 **“(4) A majority of the voting members of the task force constitutes**
17 **a quorum for the transaction of business.**

18 **“(5) Official action by the task force requires the approval of a**
19 **majority of the voting members of the task force.**

20 **“(6) The task force shall elect one of its members to serve as**
21 **chairperson.**

22 **“(7) If there is a vacancy for any cause, the appointing authority**
23 **shall make an appointment to become immediately effective.**

24 **“(8) The task force shall meet at times and places specified by the**
25 **call of the chairperson or of a majority of the voting members of the**
26 **task force, provided that the task force meets not fewer than three**
27 **times before December 1, 2017.**

28 **“(9) The task force may adopt rules necessary for the operation of**
29 **the task force.**

30 **“(10) The task force shall submit a report in the manner provided**

1 by ORS 192.245, and may include recommendations for legislation, to
2 an interim committee of the Legislative Assembly related to the judi-
3 ciary no later than December 15, 2017.

4 “(11) The Legislative Policy and Research Director shall provide
5 staff support to the task force.

6 “(12) Members of the Legislative Assembly appointed to the task
7 force are nonvoting members of the task force and may act in an ad-
8 visory capacity only.

9 “(13) Members of the task force who are not members of the Leg-
10 islative Assembly are not entitled to compensation or reimbursement
11 for expenses and serve as volunteers on the task force.

12 “(14) All agencies of state government, as defined in ORS 174.111,
13 are directed to assist the task force in the performance of the task
14 force’s duties and, to the extent permitted by laws relating to
15 confidentiality, to furnish information and advice the members of the
16 task force consider necessary to perform their duties.

17 **“SECTION 9.** Section 8 of this 2017 Act is repealed on December 31,
18 2017.

19 **“SECTION 10.** Sections 1 to 5 of this 2017 Act and the amendments
20 to ORS 646.608 by section 6 of this 2017 Act become operative on Jan-
21 uary 1, 2018.

22 **“SECTION 11.** This 2017 Act being necessary for the immediate
23 preservation of the public peace, health and safety, an emergency is
24 declared to exist, and this 2017 Act takes effect on its passage.”.

25