

**HB 4114 STAFF MEASURE SUMMARY**

**House Committee On Business and Labor**

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**Prepared By:** Jan Nordlund, LPRO Analyst

**Meeting Dates:** 2/7

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**WHAT THE MEASURE DOES:**

Prohibits consumer reporting agency from charging consumer a fee for placing, temporarily lifting, or removing a security freeze on a consumer's consumer report, for creating, deleting, freezing or removing freeze on a protective record, or for replacing a PIN or password. Provides private right of action to consumer injured by violations. Allows court to award prevailing plaintiff punitive damages, costs and reasonable attorney fees. Declares emergency, effective on passage.

**ISSUES DISCUSSED:**

**EFFECT OF AMENDMENT:**

No amendment.

**BACKGROUND:**

Oregon enacted identity theft prevention laws in 2007. The statutes require notice to affected parties when a data breach occurs. Personal information must be safeguarded as required by law and consumers have the right to protect their information by requesting the consumer reporting agencies freeze access to their consumer report. Consumer reporting agencies are limited to charging no more than \$10 for placing or removing a security freeze; however, a victim of identity theft may not be charged a fee.