

**Minority Report**  
**A-Engrossed**  
**House Bill 4155**

Ordered by the House February 22  
Including House Minority Report Amendments dated February 22

Sponsored by nonconcurring members of the House Committee on Rules: Representatives MCLANE, WILSON

**SUMMARY**

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

*[Prohibits broadband Internet access service provider from disclosing, selling or permitting access to personal information of customers of provider. Creates exceptions, including exception for giving express consent.]*

*[Requires broadband Internet access service provider to take reasonable measures to protect personal information of customers of provider.]*

*[Requires broadband Internet access service provider to provide notice of provisions of Act to potential customers of provider.]*

*[Makes violation of Act unlawful trade practice.]*

*[Establishes Task Force on Broadband Security to study uniformity of laws throughout United States with respect to protecting customers of broadband Internet access service providers. Requires task force to submit report, including recommendations for legislation, to interim committee of Legislative Assembly related to judiciary no later than December 15, 2018.]*

*[Becomes operative January 1, 2019.]*

**Establishes Task Force on Network Neutrality to study issues relating to network neutrality in context of state contracts. Requires task force to report findings to interim committee of Legislative Assembly on or before September 15, 2018.**

**Sunsets task force on December 31, 2019.**

Declares emergency, effective on passage.

**A BILL FOR AN ACT**

1  
2 Relating to Internet service providers; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) The Task Force on Network Neutrality is established.**

5 **(2) The task force consists of 15 members appointed as follows:**

6 **(a) The President of the Senate shall appoint one member from among members of the**  
7 **Senate.**

8 **(b) The Senate Minority Leader shall appoint one member from among members of the**  
9 **Senate.**

10 **(c) The Speaker of the House of Representatives shall appoint one member from among**  
11 **members of the House.**

12 **(d) The House Minority Leader shall appoint one member from among members of the**  
13 **House.**

14 **(e) The Governor shall appoint 11 members as follows:**

15 **(A) Three representatives of broadband Internet access service providers.**

16 **(B) Three representatives of right-to-privacy advocates.**

17 **(C) One representative nominated by the Public Utility Commission.**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 (D) Two representatives of local governments.

2 (E) One representative nominated by the State Chief Information Officer.

3 (F) One representative nominated by the Department of Justice.

4 (3) The task force shall study and report on the issue of network neutrality in the con-  
5 text of state contracts and shall:

6 (a) Provide an analysis of the issues associated with network neutrality and state pre-  
7 emption.

8 (b) Analyze issues that have arisen following the Federal Communications Commission's  
9 Declaratory Ruling, Report and Order, and Order, released on January 4, 2018.

10 (c) Analyze the potential impact of legislation dealing with network neutrality on the  
11 state government, with a focus on how it would impact local governments and school dis-  
12 tricts.

13 (d) Analyze the network management practices engaged in by broadband Internet access  
14 service providers in this state.

15 (e) Study the number of broadband Internet access service providers available in differ-  
16 ent areas of this state.

17 (f) Study what would happen if there were no available broadband Internet access service  
18 providers that would be willing to sign state network neutrality certification documents.

19 (g) Study how other states have implemented policies surrounding network neutrality.

20 (h) Study current state laws that could impact broadband Internet access service pro-  
21 viders that practice deceptive advertising by stating they are complying with network neu-  
22 trality provisions but are not.

23 (4) The task force may develop proposed legislation on network neutrality.

24 (5) A majority of the voting members of the task force constitutes a quorum for the  
25 transaction of business.

26 (6) Official action by the task force requires the approval of a majority of the voting  
27 members of the task force.

28 (7) The task force shall elect one of its members to serve as chairperson.

29 (8) If there is a vacancy for any cause, the appointing authority shall make an appoint-  
30 ment to become immediately effective.

31 (9) The task force shall meet at times and places specified by the call of the chairperson  
32 or of a majority of the voting members of the task force.

33 (10) The task force may adopt rules necessary for the operation of the task force.

34 (11) The task force shall submit a report in the manner provided by ORS 192.245, and  
35 may include recommendations for legislation, to the joint legislative committee relating to  
36 information management and technology no later than September 15, 2018.

37 (12) The Department of Administrative Services shall provide staff support to the task  
38 force.

39 (13) Members of the Legislative Assembly appointed to the task force are nonvoting  
40 members of the task force and may act in an advisory capacity only.

41 (14) Members of the task force who are not members of the Legislative Assembly are not  
42 entitled to compensation or reimbursement for expenses and serve as volunteers on the task  
43 force.

44 (15) All agencies of state government, as defined in ORS 174.111, are directed to assist  
45 the task force in the performance of the task force's duties and, to the extent permitted by

1 laws relating to confidentiality, to furnish information and advice the members of the task  
2 force consider necessary to perform their duties.

3 **SECTION 2.** Section 1 of this 2018 Act is repealed on December 31, 2019.

4 **SECTION 3.** This 2018 Act being necessary for the immediate preservation of the public  
5 peace, health and safety, an emergency is declared to exist, and this 2018 Act takes effect  
6 on its passage.

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