

HB 2397 -1, -3 STAFF MEASURE SUMMARY

House Committee On Judiciary

Prepared By: Gillian Fischer, Counsel

Meeting Dates: 1/23

WHAT THE MEASURE DOES:

Removes current language limiting unlawful practice to only those sweepstakes operating through the United States mail. Amends wording of the statute. Moves the location of the definition of “clear and conspicuous disclosure” and makes technical modifications.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 Replaces the bill and removes language limiting unlawful practice to sweepstakes operating through the United States mail from two of the three subsections defining what constitutes unlawful practice.

-3 Replaces the bill and removes all language limiting unlawful practice to sweepstakes operating through the United States mail.

BACKGROUND:

This provision of ORS 646A.803 was enacted in 1999 as part of a larger attempt to address concerns relating to elder abuse. The statute's current language limits the scope of sweepstakes to those sent exclusively by mail and as written does not account for sweepstakes that are provided to consumers by any other means. This bill removes that limitation and would expand the scope to any sweepstakes meeting the definition provided regardless of the manner in which it is provided to the potential participant.