

**HB 2397 A STAFF MEASURE SUMMARY**

**Carrier:** Rep. Post

**House Committee On Judiciary**

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**Action Date:** 02/06/19

**Action:** Do pass with amendments. (Printed A-Eng.)

**Vote:** 11-0-0-0

**Yeas:** 11 - Barker, Bynum, Gorsek, Greenlick, Lewis, McLane, Piluso, Post, Power, Sprenger, Williamson

**Fiscal:** No fiscal impact

**Revenue:** No revenue impact

**Prepared By:** Gillian Fischer, Counsel

**Meeting Dates:** 1/23, 2/6

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**WHAT THE MEASURE DOES:**

Removes language limiting unlawful practice of soliciting participation in a contest or sweepstakes to only those operating through the United States mail.

**ISSUES DISCUSSED:**

- Common contest or sweepstakes solicitations stating individual "may" be a prize winner
- Digital solicitations are currently unregulated
- Provisions of measure

**EFFECT OF AMENDMENT:**

Replaces measure. Removes technical changes.

**BACKGROUND:**

ORS 646A.803 was enacted in 1999 as part of a larger attempt to address concerns relating to elder abuse. The statute's language limits the scope of sweepstakes or contests to those sent exclusively by U.S. mail and does not account for sweepstakes or contests that are sent to consumers by other means.

House Bill 2397-A removes the mail-only limitation and expands the scope to any sweepstakes or contest regardless of the manner in which it is provided to the potential participant.