

HB 3047 A STAFF MEASURE SUMMARY

Carrier: Sen. Manning Jr

**Senate Committee On Judiciary and Ballot Measure 110
Implementation**

Action Date: 05/20/21

Action: Do pass the A-Eng bill.

Vote: 4-3-0-0

Yeas: 4 - Dembrow, Gelser, Manning Jr, Prozanski

Nays: 3 - Heard, Linthicum, Thatcher

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

Prepared By: Michael Lantz, Counsel

Meeting Dates: 5/12, 5/20

WHAT THE MEASURE DOES:

Creates civil cause of action for the improper disclosure of private information. Provides plaintiff must prove defendant knowingly, and without consent, disclosed personal information of the plaintiff with intent to stalk, harass, or injure plaintiff. Requires plaintiff further prove they were actually stalked, harassed, or injured by the disclosure and that a reasonable person would also have been stalked, harassed, or injured by the disclosure. Provides that a plaintiff who proves their claim is eligible for economic and noneconomic damages, punitive damages, injunctive relief, reasonable attorney fees, and other appropriate equitable relief. Imposes two-year statute of limitations. Defines "disclose," "injure," "harass," "personal information," and "stalk." Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Personal experiences with doxing
- Efforts of interim work group
- Free speech case law in Oregon
- Impact of potential amendments

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The disclosure of an individual's personal information for the purpose of harassing or harming the individual, sometimes referred to as "doxing," has become increasingly common as the internet has grown and become more accessible. Nationwide, laws directly addressing doxing are limited, though an individual committing doxing will sometimes violate other statutes.

House Bill 3047 A creates a civil cause of action for the intentional disclosure of an individual's personal information with the intent to stalk, harass, or injure that individual.