



OREGON CONSUMER PRIVACY ACT

SB 619

SENATE JUDICIARY HEARING

MARCH 7, 2023

Kimberly McCullough, Legislative Director
Oregon Department of Justice

CONSUMER RIGHTS

- Right to know (categories of data processed, who data is disclosed to, and copy of data)
- Right to correction
- Right to deletion
- Right to opt-out (targeted advertising, sale, profiling)
- Right to data portability

SENSITIVE DATA PROTECTIONS

- Consent/opt-in for processing sensitive data
 - Personal data revealing racial or ethnic background, national origin, religious beliefs, mental or physical condition or diagnosis, sexual orientation, status as transgender or nonbinary, crime victim status, or citizenship or immigration status
 - Genetic or biometric data
 - Precise geolocation data



ADDITIONAL PROVISIONS

- Threshold for applicability
- Exemptions
- Controller and processor obligations
- Comprehensive privacy notice
- Data minimization requirements
- Data security requirements
- Nondiscrimination for exercising rights
- Data protection assessments

HOT TOPICS

- Definition of “biometric data”
- Pseudonymous data
- Inclusion of devices in “personal data” definition
- Applicability to nonprofits
- Right to know third parties data has been shared with
- Scope of protections for children’s data

HOT TOPICS cont.

- Notice and right to cure sunset
 - Director, member, officer, employee and agent liability
 - Private right of action
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TECHNICAL ISSUES