

SB 1121 A -A3, -A4 STAFF MEASURE SUMMARY

House Committee On Judiciary

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Meeting Dates: 5/13, 5/20, 5/21

WHAT THE MEASURE DOES:

The measure creates a Class B misdemeanor for unlawful disclosure of private information. A person commits the offense if they knowingly disclose another person’s personal information without consent, with the intent to stalk, harass, or injure that person, and the disclosure results in harm, harassment, or stalking. Defines “personal information” to include home address, contact information, Social Security number, photos of a child, and school information, among other data. The measure also adds an exemption to the Oregon Consumer Privacy Act for noncommercial educational broadcast stations that receive funding from the Corporation for Public Broadcasting or serve as national or state emergency alert entry points and distribute journalism content without cost to recipients.

SENATE VOTE: Ayes, 29; Excused, 1

Fiscal: Minimal impact

Revenue: Minimal impact

ISSUES DISCUSSED:

- Compliance with Oregon Consumer Privacy Act
- Provisions of the measure

EFFECT OF AMENDMENT:

-A3 The amendment replaces the measure. It creates a Class B misdemeanor for unlawful disclosure of private information. A person commits the offense if they knowingly disclose another person’s personal information without consent, with the intent to stalk, injure, or cause damage to the person’s property, and the disclosure results in stalking, injury, or property damage. Defines “personal information” to include home address, personal email, phone number, Social Security number, employer or family member contact information, photos of a child, and the name of a child’s school. The amendment removes Sec. 3 of the measure which exempted noncommercial broadcast stations from the Oregon Consumer Privacy Act.

-A4 The amendment creates a Class B misdemeanor for unlawful disclosure of private information if a person knowingly discloses another person’s personal information without consent, with the intent to stalk, injure, or cause damage to the person’s property, and the disclosure results in stalking, injury, or property damage. Defines “personal information” to include home address, personal email, phone number, Social Security number, employer or family member contact information, photos of a child, and the name of a child’s school.

BACKGROUND:

Oregon law currently provides for civil remedies in cases involving the unauthorized disclosure of personal information with harmful intent. Under ORS 30.835, a person may bring a civil action if another individual knowingly discloses their personal information with intent to stalk, harass, or injure, and the disclosure results in harm. The statute permits recovery of damages and attorney fees if certain conditions are met, including lack of consent and resulting harassment, stalking, or injury. Senate Bill 1121 A establishes a corresponding criminal offense: unlawful disclosure of private information. The measure defines the offense as knowingly disclosing another person's personal information without consent and with the intent to stalk, harass, or injure, where the disclosure results in harm or harassment. The offense is classified as a Class B misdemeanor. The bill also defines key terms including “personal information,” “harass,” and “stalk.” In addition, the measure amends ORS 646A.572

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to expand exemptions to Oregon’s consumer data privacy law. The Oregon Consumer Privacy Act (OCPA), enacted in 2023, establishes comprehensive data privacy rights for consumers and imposes obligations on entities that process personal data. OCPA exempts the non-commercial activities of nonprofit organizations that provide programming to radio or television networks however, some public media entities, like Oregon Public Broadcasting (OPB), have expressed concerns that the existing exemptions are insufficient to address the practical challenges they face under the OCPA. SB 1121 adds a new exemption for noncommercial educational broadcast stations that receive funding from the Corporation for Public Broadcasting or serve as emergency alert entry points, when distributing journalism content at no cost.

PRELIMINARY