

House Bill 2352

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Judiciary)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Establishes Task Force on Internet Vendor Accountability with 11 members appointed by President of Senate, Speaker of House of Representatives, Governor, Attorney General and Director of Department of Consumer and Business Services. Requires task force to investigate practices of Internet-based vendors that require consumers to establish accounts to use vendor-provided services and that make deleting account information costly, impractical or otherwise difficult for consumers, to assess whether existing laws or consumer protection efforts by federal, state or local governments provide adequate remedies for consumers and to recommend methods and courses of action that would enable consumers to hold vendors accountable for bad practices.

Sunsets December 31, 2016.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to Internet vendor accountability; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) The Task Force on Internet Vendor Accountability is established, con-**
5 **sisting of 11 members appointed as follows:**

6 (a) **The President of the Senate shall appoint two members from among members of the**
7 **Senate and shall designate one of the members as a cochair of the task force.**

8 (b) **The Speaker of the House of Representatives shall appoint two members from among**
9 **members of the House of Representatives and shall designate one of the members as a**
10 **cochair of the task force.**

11 (c) **The Governor shall appoint:**

12 (A) **Four members who are residents of this state and consumers with particular exper-**
13 **tise or interest in Internet privacy and security issues, vendor accountability issues and re-**
14 **lated issues.**

15 (B) **One member who represents Internet vendors.**

16 (d) **The Director of the Department of Consumer and Business Services shall appoint an**
17 **employee of the Department of Consumer and Business Services with expertise in consumer**
18 **protection issues.**

19 (e) **The Attorney General shall appoint an employee of the Department of Justice with**
20 **expertise in consumer protection issues.**

21 (2) **The task force shall:**

22 (a) **Investigate the practices of Internet-based vendors that require consumers to estab-**
23 **lish accounts to use vendor-provided services and that make deleting account information**
24 **costly, impractical or otherwise difficult for consumers;**

25 (b) **Assess whether existing laws or consumer protection efforts by federal, state or local**
26 **governments provide adequate remedies for consumers; and**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 (c) Recommend methods and courses of action that would enable consumers to hold
2 vendors accountable for bad practices.

3 (3)(a) The task force may consult with experts, hear testimony from affected persons and
4 otherwise collect data and information from any source that is necessary to carry out the
5 task force's duties.

6 (b) The cochairs of the task force may expand the task force's membership if the
7 cochairs jointly deem an expansion necessary.

8 (4) A majority of the members of the task force constitutes a quorum for the transaction
9 of business.

10 (5) Official action by the task force requires the approval of a majority of the members
11 of the task force.

12 (6) If there is a vacancy for any cause, the appointing authority shall make an appoint-
13 ment that becomes effective immediately.

14 (7) The task force shall meet at times and places specified by the call of the cochairs or
15 of a majority of the members of the task force.

16 (8) The task force may adopt rules necessary for the operation of the task force.

17 (9) The task force shall submit a report in the manner provided by ORS 192.245, and may
18 include recommendations for legislation, to an interim committee of the Legislative Assem-
19 bly related to consumer protection as appropriate no later than September 15, 2016.

20 (10) The Attorney General shall provide staff support to the task force.

21 (11) Members of the task force who are not members of the Legislative Assembly are not
22 entitled to compensation, but may be reimbursed for actual and necessary travel and other
23 expenses incurred by them in the performance of the members' official duties in the manner
24 and amounts provided for in ORS 292.495. Claims for expenses incurred in performing func-
25 tions of the task force shall be paid out of funds appropriated to the Attorney General for
26 purposes of the task force.

27 (12) All agencies of state government, as defined in ORS 174.111, are directed to assist
28 the task force in performing the task force's duties and, to the extent permitted by laws
29 relating to confidentiality, to furnish such information and advice as the members of the
30 task force consider necessary to perform the members' duties.

31 SECTION 2. Section 1 of this 2015 Act is repealed on December 31, 2016.

32 SECTION 3. This 2015 Act being necessary for the immediate preservation of the public
33 peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect
34 on its passage.