

## SENATE AMENDMENTS TO SENATE BILL 684

By COMMITTEE ON JUDICIARY

March 29

1       On page 4 of the printed bill, line 9, delete “customers” and insert “consumers” in both places  
2 and after the period insert “This paragraph does not apply to the vendor if the covered entity de-  
3 scribed in paragraph (a) or (b) of this subsection has notified the Attorney General in accordance  
4 with the requirements of this section.”.

5       On page 5, line 43, delete “Personal information that is subject to, and a person” and insert  
6 “A covered entity or vendor”.

7       In line 44, delete the comma.

8       On page 6, lines 1 and 2, delete the boldfaced material and insert “if personal information that  
9 is subject to ORS 646A.600 to 646A.628 is also subject to that Act”.

10       In line 13, delete “Personal information that is subject to, and a person” and insert “A covered  
11 entity or vendor” and delete the second comma.

12       In line 17, after “Act,” delete the rest of the line and line 18 and insert “if personal information  
13 that is subject to ORS 646A.600 to 646A.628 is also subject to those Acts.”.

14       After line 28, insert:

15       “(b) A covered entity or vendor in an action or proceeding may affirmatively defend against an  
16 allegation that the covered entity or vendor has not developed, implemented and maintained rea-  
17 sonable safeguards to protect the security, confidentiality and integrity of personal information that  
18 is subject to ORS 646A.600 to 646A.628 but is not subject to an Act described in subsection (9)(c)  
19 or (d) of this section by showing that, with respect to the personal information that is subject to  
20 ORS 646A.600 to 646A.628, the covered entity or vendor developed, implemented and maintained  
21 reasonable security measures that would be required for personal information subject to the appli-  
22 cable Act.”.

23       In line 29, delete “(b)” and insert “(c)”.

24       On page 8, after line 1, insert:

25       “(4) A covered entity or vendor in an action or proceeding may affirmatively defend against an  
26 allegation that the covered entity or vendor has not complied with subsection (1) of this section with  
27 respect to personal information that is subject to ORS 646A.600 to 646A.628 but is not subject to  
28 an Act described in subsection (2)(b) or (c) of this section by showing that, with respect to the per-  
29 sonal information that is subject to ORS 646A.600 to 646A.628, the covered entity or vendor devel-  
30 oped, implemented and maintained reasonable security measures that would be required for personal  
31 information subject to the applicable Act.”.

32       In line 2, delete “(4)” and insert “(5)”.

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