
MEMORANDUM

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To: Joint Legislative Committee on Information Management and Technology

From: Sean McSpaden, Legislative Fiscal Office

Date: April 5, 2023

Subject: SB 1073 - Relating to Data Privacy: Work Session Recommendations

Senate Bill 1073 directs the State Chief Information Officer to appoint a Chief Privacy Officer and describes the scope of duties of the Chief Privacy Officer. Among other duties, the measure directs the Chief Privacy Officer to conduct a biennial executive branch privacy assessment, and to develop and conduct privacy trainings for state agencies and employees.

Senate Bill 1073 directs the Chief Privacy Officer and the Chief Data Officer, described within ORS 276A.353, to coordinate activities within their respective areas of responsibility. The measure further directs state agencies to designate agency data officers and directs the Chief Privacy Officer to coordinate data privacy activities with those agency data officers.

Finally, Senate Bill 1073 section 1(4) excludes the Secretary of State and the State Treasurer from the definition of a "state agency" within the executive department and directs the Secretary of State and State Treasurer to independently adopt by rule certain data privacy requirements, ensuring they are the same as, or are similar to, the requirements established by, and rules adopted by the State Chief Information Officer under section 1 of this 2023 Act.

Materials related to Senate Bill 1073 are posted on OLIS.

If adopted, the -3 Amendment would direct the Chief Privacy Officer to submit a biennial report to a committee or interim committee of the Legislative Assembly related to information management and technology and specifies the content of that report. Further, the amendment would modify the definition proposed for "state agency" and "executive department" in SECTION 1(4) to exempt, and maintain the independent authorities of, the Attorney General along with the Secretary of State and the State Treasurer. Finally, the amendment would require the Attorney General, along with the Secretary of State and the State Treasurer, to by rule adopt for each respective office requirements related to data privacy that are the same as, or are similar to, the requirements established by this 2023 Act and by rules adopted the State Chief Information Officer for state agencies within the executive department.

Recommended Changes - Amendment

LFO recommends adoption of the -3 amendment.

MOTION: I move adoption of the -3 amendment to Senate Bill 1073. (VOTE)

Final Committee Action

LFO recommends that Senate Bill 1073 be reported out of the Joint Legislative Committee on Information Management and Technology with a “do pass as amended” recommendation, and be referred to the Joint Committee on Ways and Means by prior reference.

MOTION: I move that Senate Bill 1073 be reported out with a “do pass as amended” recommendation, and be referred to the Joint Committee on Ways and Means by prior reference. (VOTE)