

HB 2759 A -A4 STAFF MEASURE SUMMARY

Senate Committee On Labor and Business

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Meeting Dates: 4/18, 4/27

WHAT THE MEASURE DOES:

Provides that person is liable for loss and subject to penalty, if person knows or consciously avoids knowing that another person is engaging in act or practice that violates laws regulating telephone solicitations or use of automatic dialing and announcing devices and nonetheless provides substantial assistance or support. Makes violation an unlawful practice under Unlawful Trade Practices Act. Specifies exemptions. Defines "telecommunications service" and "telecommunications utility." Provides exceptions. Takes effect on 91st day following adjournment sine die.

FISCAL: No fiscal impact

REVENUE: No revenue impact

HOUSE VOTE: Ayes, 35; Nays 24

ISSUES DISCUSSED:

- Examples of robo-call scams
- Alignment with federal regulations
- Applicable mental state
- Penalties for violation

EFFECT OF AMENDMENT:

-A4 Expands exceptions to include certain cooperative corporations and radio common carriers. Defines "cooperative corporation" and "radio common carrier."

BACKGROUND:

Oregon's anti-robocall statutes, ORS 646.569 and ORS 646A.374, prohibit calling someone on a do-not-call list and making scam robocalls. It is common for robocalls to originate outside the United States, using gateway providers and intermediate telemarketing providers to reach consumers. As a result, it can be difficult to enforce current law when violations occur.

House Bill 2759 A amends the anti-robocall statutes to make persons who know or consciously avoids knowing that another person is engaging in a practice that violates anti-robocall statutes liable for any loss and subject to any penalty for the violation to the same extent as the person who engaged in the violation.