



TECHNET
THE VOICE OF THE
INNOVATION ECONOMY

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January 26, 2023

Senate Judiciary Committee
900 Court Street NE
Salem, OR 97301

RE: Oppose SB 310

Chair Prozanski and Members of the Committee:

TechNet respectfully submits comments in opposition to SB 310, which would put Oregon at odds with all other states and the federal government in its treatment of antitrust law.

TechNet is the national, bipartisan network of technology CEOs and senior executives that promotes the growth of the innovation economy by advocating a targeted policy agenda at the federal and 50-state level. Our diverse membership includes dynamic American businesses ranging from startups to the most iconic companies on the planet and represents over five million employees and countless customers in the fields of information technology, e-commerce, the sharing and gig economies, advanced energy, cybersecurity, venture capital, and finance.

SB 310 amends several provisions of the existing Oregon antitrust laws (ORS 646). Notably, the proposal (i) allows a “public body” to file a suit, expanding the definition of public entities who can bring a case, (ii) increases criminal and civil penalties for antitrust violations (iii) allows simultaneous criminal and civil prosecutions and trials against the same parties regarding the same facts (iv) repeals the venue statute, and (v) applies retroactively.

The underlying legislation raises concerns that Oregon will be viewed as part of the current trend of antitrust overreach, ultimately hurting consumers and making the state less attractive for innovation by increasing antitrust authority and penalties. Moreover, the proposal comes at a time when antitrust enforcement is becoming increasingly politicized and opens the door for Oregon’s laws to be used to advance an expansion of antitrust principles that ultimately harm consumers and innovation.

Companies of all sizes make efforts to differentiate themselves from competitors and gain market share that provides direct benefits to consumers, including lower prices, improved services, and unique offerings. SB 310 would increase penalties in both criminal and civil suits and allow suits to be more readily filed in the state, without existing constraints on the venue.

For the above reasons, TechNet strongly opposes SB 310 as drafted. Thank you for your consideration of our comments and please do not hesitate to contact me with any questions.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ally Sutton".

Executive Director
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