

**Testimony Submitted by
Chris Coughlin, Policy Director
Oregon Consumer Justice
To the Senate Committee on Labor and Business**

April 18, 2023

Regarding: Support for HB 2759A

Chair Taylor, Vice-Chair Bonham, and Members of the Committee,

For the record, my name is Chris Coughlin, and I appreciate the opportunity to testify on behalf of Oregon Consumer Justice today in support of HB 2759A.

Oregon Consumer Justice (OCJ) advances a justice movement to ensure Oregonians have the freedom to thrive and equitably share in our abundance of resources. For too long, flawed systems and economic policies that favor profits over people have stood in the way of this reality, with communities of color most often experiencing the greatest harm. Strengthened through responsive and reciprocal community relationships, OCJ organizes, advocates, and litigates to put people first. We envision an inclusive future where financial and business transactions can be relied upon as safe and where all Oregonians know and have recourse to exercise their consumer rights.

Consumers should be safe from harassment by illegal robocalls or phone scams.

HB 2759A will amend Oregon's anti-robocall statutes so that telemarketing companies that carry traffic they know (or consciously avoid knowing) is illegal are liable for those calls to the same extent as if they had originated the call themselves. Amendments adopted in the House clarified the definition of telecommunications companies.

More than 50.3 billion robocalls were made to US consumers in 2022. An estimated \$39.5 billion was lost by over 68.4 million Americans to phone scams in 2022.¹ Telemarketing companies often ignore suspicious activity since carrying more calls equals more profit for them. The same technology that makes it easy to disseminate billions of these robocalls can allow providers to use various analytics to identify whether the calls they allow to pass through their system carry the hallmarks of scam calls.

It is currently illegal under Oregon law to call someone on the do-not-call list or to make scam robocalls. But because so many of these calls come from overseas, it is nearly impossible to hold the call originators accountable under Oregon's current statute.

HB 2759A will amend Oregon's anti-robocall statutes, ORS 646.569 and ORS 646A.374, so that telemarketing companies that carry traffic they know (or consciously avoid knowing) is illegal are liable for those calls to the same extent as if they originated the phone call themselves. These changes would more closely align Oregon's law with federal law found in the Telephone Sales Rule, 16 CF 310.3. They would encourage telemarketing providers to regulate the traffic they allow through their systems or face their own civil exposure.

We ask for your support for HB 2759A.

Thank you for your consideration and your service to Oregon's communities.