

# House Bill 4101

Sponsored by Representatives BYNUM, NELSON, NGUYEN H; Representatives HARTMAN, NGUYEN D, PHAM H, PHAM K, SOSA, TRAN, Senators FREDERICK, JAMA, WOODS (Pre-session filed.)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

**Digest:** Tells the Secretary of State to get data about a person's background if the person tries to register a business in this state and wants to give the data. Lets the Secretary of State share the data with some people, but says to keep it secret otherwise. (Flesch Reading Score: 60.5).

Requires the Secretary of State to collect, and share with state agencies, small business development centers and certain organizations, information about the ethnicity, gender and veteran status of an owner or principal of a business that applies for or renews a business registration in this state, if the owner or principal chooses to provide the information. Prohibits the Secretary of State from mandating an owner or principal to submit the information as a condition of applying for or renewing a business registration. Exempts the information from disclosure as a public record.

Becomes operative January 1, 2028.

Takes effect on the 91st day following adjournment sine die.

## A BILL FOR AN ACT

1  
2 Relating to information collected in conjunction with business registrations in this state; creating  
3 new provisions; amending ORS 56.180; and prescribing an effective date.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 56.180 is amended to read:

6 56.180. (1) A Business Registration Information Center is established within the Office of the  
7 Secretary of State.

8 (2) The primary functions of the center are:

9 (a) To develop a system within the center by which accurate and easily understandable infor-  
10 mation with respect to the business registration requirements of participating state agencies **and**  
11 **agencies of local government, as defined in ORS 174.116**, may be made available to persons  
12 undertaking a new business or operating an existing business;

13 (b) To establish a business portal as provided in subsection (3) of this section; [*and*]

14 (c) To advertise and make the business portal described in subsection (3) of this section and  
15 information described in this subsection available to all persons who request the information[.]; **and**

16 (d) **To share information the Secretary of State collects under subsection (4) of this**  
17 **section with:**

18 (A) **All agencies within the executive department of state government;**

19 (B) **All small business development centers established within the state or within local**  
20 **governments; and**

21 (C) **Organizations that the center determines are:**

22 (i) **Community-based;**

23 (ii) **Fostering economic development; and**

24 (iii) **Engaged in substantive efforts to increase in this state the number of minority-**  
25 **owned businesses, women-owned businesses and veteran-owned businesses.**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 (3)(a) The center shall establish, maintain and update a business portal called the “One Stop  
 2 Shop for Oregon Business” that is accessible through the Internet and that provides information,  
 3 services and resources for:

4 (A) Starting, expanding and operating a business in Oregon or relocating a business within or  
 5 to Oregon;

6 (B) Understanding state and local government rules, ordinances and policies that apply to busi-  
 7 ness;

8 (C) Understanding how to classify a business for registration purposes;

9 (D) Registering, licensing and obtaining needed permits for a business;

10 (E) Obtaining information about financing and tax credits available to businesses;

11 (F) Understanding business taxes and rules and policies concerning taxation that apply to busi-  
 12 nesses;

13 (G) Obtaining information about and assistance with exporting;

14 (H) Obtaining information about and resources for hiring workers in Oregon;

15 (I) Obtaining information about public contracting;

16 (J) Obtaining information about and resources for business relocation;

17 (K) Obtaining information about and assistance with training for businesses; and

18 (L) Obtaining other information, services and resources related to business in Oregon.

19 (b) All agencies of state government, as defined in ORS 174.111, and local government, as defined  
 20 in ORS 174.116, that have functions related to business registration, licensing, permitting or taxation  
 21 or that otherwise can provide information for or assist with establishing, expanding, operating or  
 22 relocating a business are directed to cooperate with and assist the center in performing the center’s  
 23 duties under subsection (3) of this section.

24 **(4)(a) The Secretary of State shall collect information about the ethnicity, gender and**  
 25 **veteran status of each owner and principal of a business that applies for or renews a busi-**  
 26 **ness registration, if the owner or principal chooses to provide the information, together with**  
 27 **the owner’s or principal’s street address and electronic mail address. The Secretary of State**  
 28 **shall provide an accessible and easy to use method for submitting the information electron-**  
 29 **ically in connection with a business registration, but may not mandate that a person provide**  
 30 **information about an owner’s or principal’s ethnicity, gender or veteran status as a condition**  
 31 **of applying for or renewing a business registration.**

32 **(b) The Secretary of State may not make the information that the Secretary of State**  
 33 **collects under paragraph (a) of this subsection available or searchable on the Internet unless**  
 34 **the person to whom the information pertains has given explicit written consent to make the**  
 35 **information available and searchable. Information the Secretary of State collects under this**  
 36 **subsection is not subject to disclosure as a public record under ORS 192.311 to 192.478.**

37 **(c) The Secretary of State may share or communicate with organizations described in**  
 38 **subsection (2)(d) of this section, by electronic means or otherwise, the information that the**  
 39 **Secretary of State collects under paragraph (a) of this subsection.**

40 *[(4)]* **(5) The Secretary of State may adopt rules necessary to implement the provisions [of sub-**  
 41 **section (3)] of this section, including rules that protect the confidentiality of the information**  
 42 **the Secretary of State collects under subsection (4) of this section.**

43 **SECTION 2. (1) The amendments to ORS 56.180 by section 1 of this 2024 Act become op-**  
 44 **erative on January 1, 2028.**

45 **(2) The Secretary of State may adopt rules and take any other action before the operative**

1 **date specified in subsection (1) of this section that is necessary to enable the Secretary of**  
2 **State, on and after the operative date specified in subsection (1) of this section, to undertake**  
3 **and exercise all of the duties, functions and powers conferred on the Secretary of State by**  
4 **the amendments to ORS 56.180 by section 1 of this 2024 Act.**

5 **SECTION 3. This 2024 Act takes effect on the 91st day after the date on which the 2024**  
6 **regular session of the Eighty-second Legislative Assembly adjourns sine die.**

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