

HB 3605 -1 STAFF MEASURE SUMMARY

House Committee On Commerce and Consumer Protection

Prepared By: Andrew Hendrie, LPRO Analyst

Meeting Dates: 3/13, 3/25

WHAT THE MEASURE DOES:

The measure establishes that a violation of the provisions about home solicitation or telephone solicitation sales are unlawful practices under the Unlawful Trade Practices Act. Takes effect on the 91st day following adjournment sine die.

ISSUES DISCUSSED:

- The legislative concept in the 2023 legislative session.
- Reasons why there are barriers to Oregonians finding and using the existing case law

EFFECT OF AMENDMENT:

-1 The amendment removes language that a person may bring an action under ORS 646.638.

Fiscal: No Fiscal Impact

Revenue: No Revenue Impact

BACKGROUND:

A different version of this measure was considered by the legislature during the 2023 session where it passed in the House and was in committee in the senate at sine die. [HB2620 2023 Regular Session - Oregon Legislative Information System](#)

ORS 83.990 is the statute about penalties related to retail installment contacts.

ORS 83.710 - 83.750 are the statutes about home and telephone solicitation sales.

ORS 646.608 is the statute that Additional unlawful business, trade practices

ORS 646.638 is the statute that allows a civil action by a private party.