

## **SB 1005 -2 STAFF MEASURE SUMMARY**

### **House Committee On Rules**

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**Prepared By:** Mary Mackie

**Meeting Dates:** 6/11

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#### **WHAT THE MEASURE DOES:**

The measure allows a private entity to swipe a person's driver's license or identification card when providing age-restricted goods or services, regardless of whether there is reasonable doubt they are 21 years of age.

- FISCAL: No fiscal impact
- REVENUE: No revenue impact

SENATE FLOOR VOTE: Ayes, 26; Nays, 1

#### **ISSUES DISCUSSED:**

- Storage of personal information collected from swiping a driver's license or identification (ID) card
- Store policies to review ID photos
- Ability of a minor to access age-restricted goods

#### **EFFECT OF AMENDMENT:**

-2 The amendment increases the amount that an individual may recover against an entity that swipes, stores, shares, sells, or otherwise uses their personal information in violation of statute from \$1,000 to \$5,000, or the amount of the actual damages if it is greater.

#### **BACKGROUND:**

Current law allows a private entity to swipe someone's driver's license or identification (ID) card for certain purposes. One allowable situation is if there is any reasonable doubt of the person being 21 years of age when they are accessing age-restricted goods or services. The Oregon Administrative Rules (OAR) state that reasonable doubt exists if the person appears to be under the age of 26 (OAR 845-006-0335(1)(a)). Businesses in Oregon, mainly convenience stores, are increasingly implementing universal ID check policies for alcohol and tobacco products. Two class action lawsuits have been filed challenging these policies. Senate Bill 1005 would remove the language stating that there must be reasonable doubt of the person being 21 years of age in order to swipe their ID, making universal ID check policies allowable.