

House Bill 2308

Sponsored by Representatives MANNIX, NATHANSON, Senator WOODS, Representative MCINTIRE (Presession 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 makers of some products that connect to the Internet that the products must have a filter to keep users from using some software or going to some Internet sites. The makers must turn the filter on automatically if a user is under 18 years old. Lets the Attorney General sue if the product maker does not obey the Act. (Flesch Readability Score: 61.3).

Requires manufacturers of consumer products that enable access to the Internet, that have operating systems that recognize the geographical location where the device is being used and that determine a user's age during setup to also have a parental control filter that blocks access to software applications and Internet sites that provide access to obscene material and to turn the parental control filter on automatically during setup for users who are younger than 18 years of age. Authorizes the Attorney General to investigate and bring an action against consumer product manufacturers that sell devices that do not comply with the requirements of the Act.

Becomes operative on July 1, 2026.

A BILL FOR AN ACT

1
2 Relating to parental control filters for consumer products that enable access to the Internet.

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

4 **SECTION 1. (1) As used in this section:**

5 (a)(A) **“Consumer product manufacturer” means a person that is engaged in the business**
6 **of manufacturing devices and that holds, controls or licenses an intellectual property inter-**
7 **est associated with the device, whether the intellectual property is a patent, copyright,**
8 **trademark or trade dress, trade secret or other exclusive proprietary interest.**

9 (B) **“Consumer product manufacturer” does not include a person that is engaged in the**
10 **business of distributing devices, selling devices at retail or servicing, maintaining or repair-**
11 **ing devices before or after a retail sale unless the person also manufactured the device.**

12 (b) **“Device” means a mobile telephone, electronic tablet or similar consumer product**
13 **that:**

14 (A) **Sends and receives data by means of connection to the Internet; and**

15 (B) **Has an operating system that:**

16 (i) **Recognizes the geographical location within which the consumer product is used; and**

17 (ii) **Requires a user to provide, as a condition of completing the setup of the consumer**
18 **product, the user's date of birth or age.**

19 (c) **“Obscene material” means material that:**

20 (A) **An average person, applying contemporary community standards would find that,**
21 **taken as a whole, appeals to the prurient interest;**

22 (B) **Depicts or describes, in a patently offensive way, sexual conduct as defined in ORS**
23 **167.051; and**

24 (C) **Taken as a whole, lacks serious literary, artistic, political, scientific or educational**

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 value.

2 (c) "Parental control filter" means a setting or option in a device's operating system that
3 a consumer product manufacturer identifies as a parental control, or by another designation
4 with a similar meaning or effect, and that enables a user of the device to block access to
5 applications or Internet websites that provide access to obscene material.

6 (d) "Setup" means the act of specifying initial settings or options for using a device and
7 associating the settings or options with a user account on the device.

8 (2) A device that is activated for use within this state must:

9 (a) Have a parental control filter that is capable of blocking access to applications or
10 websites that provide access to obscene material;

11 (b) Determine the age of each user during setup;

12 (c) Automatically turn on the parental control filter during setup for each user who is
13 younger than 18 years old;

14 (d) Enable a user who is 18 years old or older, or a parent or guardian of a user who is
15 younger than 18 years old, to block or allow, after setup, access to the setting or option that
16 turns the parental control filter off or on by means of a security measure, such as a pass-
17 word, biometric feature or other measure; and

18 (e) Notify a user who is 18 years old or older, or a parent or guardian of a user who is
19 younger than 18 years old, whenever the parental control filter blocks access to an applica-
20 tion or website that provides access to obscene material and provide the user with an op-
21 portunity to temporarily or permanently allow access to the application or website, or to
22 turn the parental control filter off or on, by meeting the security measure's requirements
23 for access.

24 (3) The Attorney General may investigate, and bring an action in a court of this state
25 against, a consumer product manufacturer that sells or directs or permits the sale in this
26 state at retail of a device that does not meet the requirements specified in subsection (2) of
27 this section.

28 (4)(a) In an investigation under subsection (3) of this section, the Attorney General may
29 execute an investigative demand in writing and have the investigative demand served upon
30 any person who might have documentary material or information relevant to an alleged or
31 suspected violation of this section. The investigative demand must:

32 (A) Require the person to produce relevant documentary material for examination and
33 copying or reproduction, to answer in writing written interrogatories, to give oral testimony
34 concerning documentary material or information, or to provide any combination of material,
35 answers or testimony under penalty of perjury;

36 (B) State a reasonable time and place for the person to provide material, answers or
37 testimony; and

38 (C) State the nature of the conduct that constitutes an alleged violation of this section.

39 (b) At any time before the earlier of the date specified under paragraph (a)(B) of this
40 subsection, or within 20 days after the demand has been served, the person subject to the
41 investigative demand may file in an appropriate court a petition to:

42 (A) Extend the date by which the person must provide material, answers or testimony;
43 or

44 (B) Modify or set aside the demand, stating good cause.

45 (5) In an action under subsection (3) of this section, the Attorney General may:

1 (a) Seek to enjoin further sales in this state of devices that do not meet the requirements
2 of subsection (2) of this section, pending the consumer product manufacturer's compliance
3 with the requirements;

4 (b) Recover from the consumer product manufacturer a civil penalty of not more than
5 \$5,000 per violation;

6 (c) Recover the Attorney General's reasonable attorney fees, court costs and
7 investigatory expenses; and

8 (d) Seek such other relief as the court deems lawful and appropriate, including
9 restitution on behalf of persons who suffered ascertainable injuries as a result of the con-
10 sumer product manufacturer's failure to comply with the requirements set forth in sub-
11 section (2) of this section.

12 **SECTION 2.** Section 1 of this 2025 Act applies to:

13 (1) Consumer product manufacturers that conduct business in this state or that provide
14 products or services to residents of this state; and

15 (2) Devices that are activated within this state on or after the operative date specified
16 in section 3 of this 2025 Act.

17 **SECTION 3.** Sections 1 and 2 of this 2025 Act become operative on July 1, 2026.
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