

House Bill 3255

Sponsored by Representative EVANS

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: Says that an online business must have a telephone number and electronic mail address to hear and respond to customer concerns. Lets the Secretary of State check to see if the business obeys the requirement and to fine a business that does not obey. Says that the business can be barred from this state if it fails to comply again and again. (Flesch Readability Score: 61.3).

Prohibits an online business from operating in this state unless the online business maintains a permanent telephone number and electronic mail address that allows customers to contact the on-line business with concerns and receive a timely and substantive response. Permits the Secretary of State to test compliance with the Act and to impose civil penalties for a failure to comply or to administratively dissolve an online business or revoke the online business's authority to transact business in this state if the Secretary of State determines that the failure to comply is intentional, willful and repeated.

A BILL FOR AN ACT

1
2 Relating to requirements for online businesses to provide contact methods to respond to customer
3 concerns.

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

5 **SECTION 1. Section 2 of this 2025 Act is added to and made a part of ORS chapter 56.**

6 **SECTION 2. (1) As used in this section:**

7 (a) **"Customer" means a natural person who resides in this state and purchases a product**
8 **or service from an online business.**

9 (b) **"Online business" means a person that engages in the business of selling goods or**
10 **services to customers and 50 percent or more of the sales occur entirely by electronic means**
11 **or by means of an Internet platform, website or other online presence.**

12 (2)(a) **An online business may not sell goods or services to a customer of this state unless**
13 **the online business maintains a permanent telephone number and electronic mail address by**
14 **which the customer may contact and receive a timely response from the online business with**
15 **respect to the customer's concerns, of whatever nature, about the product or service the**
16 **online business sold to the customer or about the online business's operations or conduct**
17 **with respect to the customer.**

18 (b) **For the purposes of paragraph (a) of this subsection, a timely response means a re-**
19 **sponse that directly addresses a customer's expressed concern in a commercially reasonable**
20 **amount of time, but not later than 24 hours after a customer initiates contact with the on-**
21 **line business, except that an online business may respond substantively to a customer's**
22 **concern later than 24 hours after the initial contact if responding to the concern requires**
23 **an unusual or extraordinary effort, research or investigation or if circumstances beyond the**
24 **control of the online business prevent the timely response.**

25 (c) **If an exception described in paragraph (b) of this subsection occurs or is likely, an**

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 **online business shall respond to a customer during the initial contact by stating that the**
2 **online business cannot respond immediately and giving the customer an estimate of when the**
3 **online business will respond substantively to the customer's concern.**

4 **(3) The Secretary of State may test an online business's compliance with the require-**
5 **ments of subsection (2) of this section randomly and without prior notice and may impose a**
6 **civil penalty in an amount the Secretary of State determines by rule if the Secretary of State**
7 **determines that the online business has not complied. The rules must require an escalating**
8 **penalty amount for repeated failures to comply with the requirements.**

9 **(4) If the Secretary of State determines that an online business intentionally, willfully**
10 **and repeatedly fails to comply with the requirements set forth in subsection (2) of this sec-**
11 **tion, the Secretary of State may administratively dissolve the online business or revoke the**
12 **online business's authority to transact business in this state, as appropriate.**

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