

B-Engrossed

Senate Bill 1121

Ordered by the House May 28
Including Senate Amendments dated April 14 and House Amendments
dated May 28

Sponsored by COMMITTEE ON JUDICIARY

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. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act creates a new crime about disclosing private data. The Act also extends the time for some media to cure violations of a data privacy law. The Act goes into effect when the Governor signs it. (Flesch Readability Score: 66.2).

[Digest: The Act creates a new crime about disclosing private data. The Act also exempts some media from a data privacy law. (Flesch Readability Score: 63.2).]

Creates the crime of unlawful disclosure of private information. Punishes by a maximum of six months' imprisonment, \$2,500 fine, or both.

[Creates an exception in a consumer data privacy law for] **Extends the time period, to July 1, 2026, during which specified noncommercial educational broadcast stations may cure violations of a consumer data privacy law.**

Declares an emergency, effective on passage.

A BILL FOR AN ACT

Relating to the disclosure of private information; creating new provisions; amending ORS 161.005 and section 15, chapter 369, Oregon Laws 2023; and declaring an emergency.

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

SECTION 1. (1) A person commits the crime of unlawful disclosure of private information if:

(a) The person, with the intent to stalk or injure another person, or to cause damage to another person's property, knowingly causes the other person's personal information to be disclosed;

(b) The person knows or reasonably should have known that the other person did not consent to the disclosure; and

(c) The other person is stalked or injured, or the other person's property is damaged, as a result of the disclosure.

(2) Unlawful disclosure of private information is a Class B misdemeanor.

(3) As used in this section:

(a) "Disclose" includes, but is not limited to, transfer, publish, distribute, exhibit, advertise and offer.

(b) "Injure" means to subject another to bodily injury or death.

(c) "Personal information" means:

(A) A person's home address, personal electronic mail address, personal phone number or Social Security number;

(B) Contact information for a person's employer;

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.

(C) Contact information for a family member of a person;

(D) Photographs of a person's child; or

(E) Identification of the school that a person's child attends.

(d) "Stalk" means conduct constituting the crime of stalking under ORS 163.732 or conduct that would give rise to an action for issuance or violation of a stalking protective order under ORS 30.866.

SECTION 2. ORS 161.005 is amended to read:

161.005. ORS 161.005 to 161.055, 161.065, 161.085 to 161.125, 161.150 to 161.175, 161.190 to 161.275, 161.290 to 161.373, 161.405 to 161.485, 161.505 to 161.585, 161.605, 161.615 to 161.685, 161.705 to 161.737, 162.005, 162.015 to 162.035, 162.055 to 162.115, 162.135 to 162.205, 162.225 to 162.375, 162.405 to 162.425, 162.465, 163.005, 163.095, 163.107, 163.115, 163.125 to 163.145, 163.149, 163.160 to 163.208, 163.191, 163.196, 163.215 to 163.257, 163.261, 163.263, 163.264, 163.266, 163.275, 163.285, 163.305 to 163.467, 163.429, 163.432, 163.433, 163.472, 163.505 to 163.575, 163.665 to 163.693, 163.700, 163.701, 163.715, 164.005, 164.015 to 164.135, 164.138, 164.140, 164.205 to 164.270, 164.305 to 164.377, 164.395 to 164.415, 164.805, 164.857, 164.886, 165.002 to 165.102, 165.109, 165.118, 165.805, 165.815, 166.005 to 166.095, 166.119, 166.125, 166.128, 166.350, 166.382, 166.384, 166.660, 167.002 to 167.027, 167.057, 167.060 to 167.100, 167.117, 167.122 to 167.162, 167.203 to 167.252, 167.310 to 167.340, 167.350, 167.810 and 167.820 and section 1 of this 2025 Act shall be known and may be cited as Oregon Criminal Code of 1971.

SECTION 3. Section 15, chapter 369, Oregon Laws 2023, is amended to read:

Sec. 15. (1) [Sections 1 to 9 of this 2023 Act] **ORS 646A.570 to 646A.589** and the amendments to ORS 180.095 by section 10, [of this 2023 Act] **chapter 369, Oregon Laws 2023**, become operative on July 1, 2024.

(2) The amendments to [section 5 of this 2023 Act] **ORS 646A.578** by section 12, [of this 2023 Act] **chapter 369, Oregon Laws 2023**, become operative on January 1, 2026.

(3) The amendments to [section 9 of this 2023 Act] **ORS 646A.589** by section 11, [of this 2023 Act] **chapter 369, Oregon Laws 2023**, become operative on [January 1, 2026] **the effective date of this 2025 Act**.

SECTION 4. Section 5 of this 2025 Act is added to and made a part of ORS 646A.570 to 646A.589.

SECTION 5. (1) Before bringing an action under ORS 646A.589 (4), the Attorney General shall notify a controller of a violation of ORS 646A.570 to 646A.589 if the Attorney General determines that the controller can cure the violation. If the controller fails to cure the violation within 30 days after receiving the notice of the violation, the Attorney General may bring the action without further notice.

(2) Beginning January 1, 2026, subsection (1) of this section applies only to a controller that is a noncommercial educational broadcast station, as defined in 47 U.S.C. 397, as in effect on the effective date of this 2025 Act, that:

(a) Receives funding from the Corporation for Public Broadcasting or is a primary entry point, national primary or state primary, as defined in 47 C.F.R. 11.18, as in effect on the effective date of this 2025 Act; and

(b) Distributes the noncommercial educational broadcast station's journalism content without cost to recipients.

SECTION 6. Section 5 of this 2025 Act is repealed on July 1, 2026.

SECTION 7. Section 1 of this 2025 Act and the amendments to ORS 161.005 by section 2

1 of this 2025 Act become operative on January 1, 2026.

2 SECTION 8. This 2025 Act being necessary for the immediate preservation of the public
3 peace, health and safety, an emergency is declared to exist, and this 2025 Act takes effect
4 on its passage.

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