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## OREGON DEPARTMENT OF JUSTICE

TO: House Committee on Commerce & Consumer Protection

FROM: Leslie Wu, Policy Advisor to Attorney General Rayfield, Oregon Department of Justice

DATE: March 11, 2025

SUBJECT: Testimony on HB 3167

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The Oregon Department of Justice has appreciated the opportunity to provide feedback to the advocates that has been incorporated into the -3 amendment. Specifically, the amended language aligns the mental states described throughout this bill with the rest of the broader Unlawful Trade Practices Act (“UTPA”). The UTPA mental state of “willful” conduct is an easier threshold to prove, and will allow enforcement of the law in line with other UTPA actions. Additionally, the -3 amendment removes the requirement for entities to send notice to the Oregon Department of Justice upon detection of “bot” software, which will ease the agency’s burden in implementing the law and potentially lessen the cost of industry compliance.

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