

SB 1587 -4 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

Prepared By: Tisha Pascone, LPRO Analyst

Meeting Dates: 2/2, 2/11, 2/16

WHAT THE MEASURE DOES:

The measure prohibits data brokers from selling or providing brokered personal data for purposes of enforcing civil law, except as required by court order or warrant. It authorizes the Department of Consumer and Business Services to adopt rules and impose civil penalties for a violation, it and provides individuals with the right to bring a civil action for damages and equitable relief. Declares an emergency, effective on passage.

FISCAL: May have fiscal impact, but no statement yet issued.

REVENUE: May have revenue impact, but no statement yet issued.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-4 The amendment replaces the measure.

Detailed Summary

- Prohibits government bodies from disclosing personal data to a data broker without an attestation from the broker that the data will not be sold or transferred to an entity that will use the information for enforcement of federal immigration law, unless required by court order.

BACKGROUND:

Oregon enacted House Bill 2052 in 2023, requiring data brokers to register prior to collecting, selling, or licensing brokered personal information, starting January 1, 2024. [ORS 646A.593](#). The registry is administered by the Department of Financial Regulation. The Oregon Consumer Privacy Act (OCPA), [ORS 646A.570 to ORS 646A.589](#), is applicable to any person conducting business in this state that controls or processes the personal data of 100,000 or more consumers or of 25,000 or more consumers if 25 percent or more of the person's annual gross revenue is derived from selling personal data. The OCPA provides consumers with rights to opt out of data sale, profiling, and targeted advertising, to know what information a business has collected, and which specific entities received the consumer's data. The consumer can also get a copy of their personal and sensitive data collected, edit inaccuracies, and delete personal and sensitive information. The Act allows consumers to file complaint with the Oregon Department of Justice to enforce the Act, but it does not provide a private right of action.