

SB 1587 -4 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

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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: Has minimal fiscal impact

REVENUE: Has no revenue impact

ISSUES DISCUSSED:

- Provisions of the measure

EFFECT OF AMENDMENT:

-4 The amendment replaces the measure. It prohibits government bodies from disclosing personal data to a data broker without an accepted 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. It provides exceptions for court order and data subject to disclosure under public records laws.

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.