

HB 4092-2
(LC 285)
2/11/26 (TSB/ps)

Requested by Representative PHAM H

**PROPOSED AMENDMENTS TO
HOUSE BILL 4092**

- 1 On page 1 of the printed bill, line 2, after “systems” delete the rest of the
- 2 line and add a period.
- 3 In line 6, delete “who weighs 80 pounds or less”.
- 4 In line 10, after “the” delete the rest of the line and line 11 and insert
- 5 “effective date of this 2026 Act.”.
- 6 Delete lines 17 through 22 and insert:
7 “(f)(A) ‘Retail platform operator’ means a person that operates an online
8 or other marketplace that enables purchasers to select, pay for and receive
9 a child safety system and:
10 “(i) Offers child safety systems for sale by the person or by other, third
11 party sellers that offer goods through the marketplace for which the mar-
12 ketplace is the seller of record; or
13 “(ii) Fulfills orders for child safety systems through a centralized fulfill-
14 ment, distribution or warehouse network and from inventory that the person
15 owns, leases or otherwise controls.
16 “(B) ‘Retail platform operator’ does not include:
17 “(i) A financial institution, as defined in ORS 706.008, a payment
18 processor or payment clearance system operator; or
19 “(ii) A person that facilitates transactions on behalf of a retailer that is
20 the seller of record and fulfillment occurs from a physical retail location of
21 the retailer.”.

1 On page 2, line 1, after “not” insert “knowingly”.

2 In line 2, after “not” insert “knowingly”.

3 Delete lines 5 through 10.

4 In line 11, delete “(4)” and insert “(3)”.

5 Delete lines 17 through 45 and delete pages 3 through 5 and insert:

6 “(4) A person that violates subsection (2) or (3) of this section shall, upon

7 a written demand from a purchaser, cure the violation within 30 days after

8 receiving the purchaser’s demand.

9 “(5)(a) A purchaser who delivers a written demand under subsection (4)

10 of this section may, within 30 days after the date of the purchaser’s demand,

11 bring an action in a court of this state against a person that fails to cure

12 a violation of subsection (2) or (3) of this section. The purchaser may obtain

13 in the action:

14 “(A) The greater of the purchaser’s actual damages or statutory damages

15 of \$500; and

16 “(B) Such other equitable relief as the court may specify.

17 “(b) The court may award attorney fees and costs at trial and on appeal

18 to a prevailing plaintiff.”.

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