

Senate Bill 857

Sponsored by Senator KNOPP

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 **as introduced**.

Requires Director of Department of Consumer and Business Services, by contract with vendor or service provider or otherwise, to develop system by means of which representative may register personal information of protected consumer with consumer reporting agency that meets certain qualifications. Permits director to charge fee to cover or substantially defray costs of implementing and maintaining system.

Becomes operative January 1, 2016.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to a system to register personal information for protected consumers; and declaring an
3 emergency.

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

5 **SECTION 1. Section 2 of this 2015 Act is added to and made a part of ORS 646A.600 to**
6 **646A.628.**

7 **SECTION 2. (1) The Director of the Department of Consumer and Business Services, by**
8 **contract with a vendor or service provider or otherwise, shall develop and implement a sys-**
9 **tem by means of which a representative may register the personal information of a protected**
10 **consumer with a consumer reporting agency that has:**

11 (a) **A fraud prevention program that includes, at a minimum, a database of personal in-**
12 **formation that the consumer reporting agency designates as having a high risk for fraud and**
13 **against which the consumer reporting agency routinely checks applications for credit to**
14 **verify that the applications are genuine and not fraudulent;**

15 (b) **Procedures in place for registering protected consumers and for removing protected**
16 **consumers from the database described in paragraph (a) of this subsection when a protected**
17 **consumer is no longer a protected consumer;**

18 (c) **Procedures in place to enable a representative to create or delete a protective record**
19 **for a protected consumer or to place, temporarily lift or remove a security freeze for a**
20 **protected consumer's consumer report in accordance with ORS 646A.606 and 646A.608; and**

21 (d) **Otherwise complied with the requirements set forth in ORS 646A.600 to 646A.628.**

22 (2) **The director shall ensure that the system described in subsection (1) of this section**
23 **is:**

24 (a) **Accessible and usable by any person from any location within or outside this state,**
25 **by means of a website or another electronic method or by other means designed for a**
26 **representative's ease of use and convenience; and**

27 (b) **Secured against public disclosure, tampering, theft or unauthorized acquisition or use.**

28 (3) **The director may charge a fee to use the system described in subsection (1) of this**

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.

1 section in an amount that covers or substantially defrays the costs of implementing and
2 maintaining the system.

3 **SECTION 3.** (1) Section 2 of this 2015 Act becomes operative January 1, 2016.

4 (2) The Director of the Department of Consumer and Business Services, before the op-
5 erative date specified in subsection (1) of this section, may:

6 (a) Research and gather information about systems similar to the system described in
7 section 2 (1) of this 2015 Act;

8 (b) Develop specifications for the system described in section 2 (1) of this 2015 Act;

9 (c) Prepare solicitation and other procurement documents necessary to receive bids or
10 proposals for the system described in section 2 (1) of this 2015 Act;

11 (d) Adopt rules that are necessary to implement section 2 of this 2015 Act; and

12 (e) Take any other action that is necessary to enable the director to exercise, on and
13 after the operative date specified in subsection (1) of this section, all of the duties, functions
14 and powers conferred on the director by section 2 of this 2015 Act.

15 **SECTION 4.** This 2015 Act being necessary for the immediate preservation of the public
16 peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect
17 on its passage.

18 _____