

# House Bill 3047

Sponsored by Representatives WITT, BYNUM

## 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**.

Establishes civil cause of action for improper disclosure of personal information.

### A BILL FOR AN ACT

1  
2 Relating to disclosure of personal information.

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

4 **SECTION 1. (1) As used in this section:**

5 (a) **"Disclose" includes, but is not limited to, transfer, publish, distribute, exhibit, adver-**  
6 **tise and offer.**

7 (b) **"Personal information" means:**

8 (A) **The plaintiff's home address, personal email address, personal phone number or so-**  
9 **cial security number;**

10 (B) **Contact information for the plaintiff's employer;**

11 (C) **Contact information for a family member of the plaintiff;**

12 (D) **Photographs of the plaintiff's children; or**

13 (E) **Identification of the school that the plaintiff's children attend.**

14 (2) **A plaintiff has a cause of action for improper disclosure of private information if the**  
15 **plaintiff establishes by a preponderance of the evidence that:**

16 (a) **The defendant, with the intent to harass, humiliate or injure the plaintiff, knowingly**  
17 **caused personal information to be disclosed;**

18 (b) **The defendant knew or reasonably should have known that the plaintiff did not con-**  
19 **sent to the disclosure;**

20 (c) **The plaintiff is harassed, humiliated or injured by the disclosure; and**

21 (d) **A reasonable person would be harassed, humiliated or injured by the disclosure.**

22 (3) **A plaintiff who prevails in a claim under this section may recover:**

23 (a) **Economic and noneconomic damages, as those terms are defined in ORS 31.710;**

24 (b) **Punitive damages;**

25 (c) **Injunctive relief;**

26 (d) **Reasonable attorney fees; and**

27 (e) **Any other appropriate equitable relief.**

28 (4) **An action under this section must be commenced not later than two years after the**  
29 **conduct that gives rise to a claim for relief occurred.**

30 **SECTION 2. Section 1 of this 2021 Act applies to disclosures of personal information oc-**  
31 **curring on or after the effective date of this 2021 Act.**

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**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.