

Business and Consumer Protection



This Legislative Summary Report highlights Business and Consumer Protection policy measures that received a public hearing in a policy committee during the 2023 regular legislative session. The report is organized by sub-topics and includes the measure number; the measure status: enacted [✓] or not enacted [✗]; and a brief description of the measure.

Business and Consumer Protection sub-topics:

- Alcohol Regulation
- Broadband Services
- Business Assistance
- Community Investment
- Consumer Protection
- Economic Development
- Finance
- General Business
- Incentive Programs
- Insurance
- Marijuana Regulation
- Professional Licensure

Alcohol Regulation

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| SB 616 | ✗ | Would have permitted a holder of direct shipper permit to ship up to five cases of cider or malt beverages, each containing no more than nine liters, per month to Oregon residents. |
| HB 2013 | ✓ | Allows Oregon Liquor and Cannabis Commission (OLCC) to issue a direct-to-retailer permit to an eligible out-of-state manufacturer of malt beverages, wines, or ciders so the manufacturer may sell at wholesale and transport those malt beverages, wines, or ciders to certain OLCC licensees in Oregon. |
| HB 2502 | ✗ | Would have expanded the circumstances that trigger business loss compensation for liquor stores. |
| HB 2976 A | ✗ | Would have established the Oregon Spirits Board as semi-independent state agency to develop and promote Oregon's distilled spirits industry consisting of nine members appointed by the Governor. Would have imposed a 50 cents per bottle surcharge on distilled liquor manufactured in Oregon. |
| HB 3265 | ✗ | Would have directed the Oregon Liquor and Cannabis Commission to study electronic liquor sales transaction reporting. |
| HB 3308 | ✓ | Authorizes the Oregon Liquor and Cannabis Commission (OLCC) to establish a system to issue permits to third-party facilitators to deliver alcoholic beverages, on behalf of an eligible business, to final consumers. The measure permits a third-party facilitator or an eligible business to hire a delivery person. |

In addition, the measure requires OLCC to develop uniform standards for minor decoy operations to investigate third-party delivery facilitators, and any person delivering alcoholic beverages, for violations of laws prohibiting deliveries to minors.

- HB 3610 ✓ Establishes the Task Force on Alcohol Pricing and Addiction Services (task force) to study alcohol addiction and alcohol addiction prevention, including current resources, funding, and costs related to alcohol addiction. The task force is also to study additional funding options for alcohol addiction treatment. The task force is to report to the Legislative Assembly by September 15, 2024.

Broadband Services

- SB 943 ✗ Would have established the Broadband Service Infrastructure Program within the Oregon Broadband Office. The purpose of the Program would have been to offset costs of planning and developing high-speed broadband service infrastructure in unserved and underserved areas.
- HB 2766 ✗ Would have required the Oregon Broadband Office to conduct a study on barriers, investment, and deployment of wireline and wireless broadband internet service infrastructure by unserved and underserved communities.
- HB 3201 ✓ Requires the Oregon Business Development Department to provide grants and loans for supporting broadband access, affordability, and adoption through grants or loans.
- HB 3249 ✗ Would have expanded access to broadband service infrastructure grants or loans from the Oregon Broadband Fund for unserved and underserved areas by updating the definition of “unserved area” and “underserved area.”

Business Assistance

- SB 1048 ✓ Directs Oregon Department of Transportation (ODOT) to establish a small business assistance program to aid qualified small businesses to compete for ODOT public improvement contracts.

Community Investment

- SB 842 A ✗ Would have changed the expenditure limitation grant for the Port of Port Orford seafood hub redevelopment project to a grant for port redevelopment projects.
- SB 1038 A ✗ Would have directed the Oregon Business Development Department to develop and administer a program for awarding grants to rodeo organizations based in communities with population of 12,000 or less to fund certain capital



projects on existing rodeo property.

- HB 2023 A ✗ Would have required the Oregon Tourism Commission and Sport Oregon to collaborate for the purpose of developing and administering a program to award grants to local governments to help fund youth sporting events in communities throughout Oregon.
- HB 2419 ✗ Would have established a linked deposit program to permit the State Treasurer to use up to five percent of the average revenues received by the general fund to purchase instruments from a qualified depository that will in turn make loans to minority-owned, woman-owned, or service-disabled veteran-owned businesses with average annual gross revenue under five million dollars.
- HB 2459 A ✗ Would have appropriated \$50.15 million to the Oregon Business Development Department to distribute to Oregon cultural organizations in response to negative impacts of COVID-19.
- HB 2510 A ✗ Would have changed the funding source for the County Fair Account from the maximum allocation of \$1.53 million in Oregon State Lottery (Lottery) proceeds with an allocation of 0.8 percent of net proceeds from the Lottery. The measure also sought to create the Horse Racing Account, funded with 0.2 percent of net proceeds from the Lottery.
- HB 2605 A ✗ Would have authorized the Department of Administrative Services to issue grants to the Agora Journalism Center and Fund for Oregon Rural Journalism to: (1) convene a workgroup to research local news and information ecosystems and identify journalism models to amplify; (2) create a local journalism resource center; and (3) develop a subgrant program to support local information needs of Oregon communities.
- HB 2635 ✗ Would have appropriated \$1 million for distribution to the Union County Fair Association for water and sewer improvements.
- HB 2909 ✗ Would have appropriated \$1.9 million to the Oregon Coast Visitors Association for projects in coastal communities.

Consumer Protection

- HB 2008 ✗ Would have amended the scope of garnishments by increasing the minimum protected wage amount and expanding exemptions of items from debt collection seizures. The measure also sought to amend statutes related to ability of a debtor to pursue unlawful debt collection practices violations.
- HB 2292 ✓ Provides a consumer the right to rescind a written contract for landscaping services within three business days of the agreement, requires the landscaping business to provide notice of the right to rescind, and permits the Oregon Landscape Contractors Board to specify the form and content of the notice.



- HB 2620 ✗ Would have added violations of Oregon's Home Solicitation Sales Act to the Unlawful Trade Practices Act.
- HB 2759 ✓ Amends Oregon anti-robocall law to make individuals, who know or consciously avoid knowing that another person is engaging in a practice that violates the anti-robocall statutes, liable for any loss and subject to any penalty for the violation to the same extent as the person who engaged in the violation.
- HB 2801 ✗ Would have prohibited the selling or leasing of a motor vehicle if the sale or lease is contingent upon lender's agreement to purchase retail installment contract or lease agreement.
- HB 2818 ✗ Would have permitted a person who bought a car from a national or out-of-state dealer, who falsely claimed to be an agent of the Oregon Department of Motor Vehicles, to reverse or undo the deal and receive a full refund of the purchase price of the vehicle.
- HB 2915 ✓ Prohibits retail pet stores from offering to sell or selling dogs or cats for profit, except for stores that sold them before the law takes effect, and which are not under new ownership or selling dogs or cats from a new location; ends exception on September 1, 2028.
- HB 3213 ✓ Prohibits the sale of cosmetics developed or manufactured using cosmetic animal tests on or after January 1, 2024, with exceptions.
- HB 3242 B ✗ Would have allowed an insured individual to bring a civil action against an insurer for unfair claim settlement practices, including practices not described in current law but that are deemed unfair by the Director of the Department of Consumer and Business Services or a court. **(Bill is also included in Summary of Legislation Summary Report on Civil Law.)**
- HB 3243 A ✗ Would have made unfair claims settlement practices subject to penalties for Unlawful Trade Practices Act (UTPA). Would have permitted an individual to obtain, and a court to award, appropriate relief that it deems appropriate in addition to monetary damages under UTPA. **(Bill is also included in Summary of Legislation Summary Report on Civil Law.)**
- HB 3611 ✗ Would have provided that sales or leases of consumer products occur subject to an implied warranty of merchantability or an implied warranty of fitness, and prohibits a seller or buyer from disclaiming or waiving an implied warranty unless the supplier sells or leases consumer product as is and provides certain required disclosures. The measure also would have sought to permit a manufacturer to provide an express warranty and specifies the express warranty conditions, required disclosures, and buyer remedies.



Economic Development

- SB 4** ✓ Establishes the Oregon Creating Helpful Incentives to Produce Semiconductors (CHIPS) Fund to provide grants and loans to qualifying businesses for the purpose of growing the semiconductor and advanced manufacturing industry in Oregon. The measure appropriates \$190 million to support loans and grants from the Fund; \$10 million for the University Innovation Research Fund; and \$10 million for the Industrial Lands Loan Fund. Recipients of Oregon CHIPS grant and loan funds may use funding to develop a site for a semiconductor or other advanced manufacturing facility, research and development, and partnering with institutions of higher education for the purpose of workforce development and the creation of training, certified apprenticeship, and internship opportunities, with respect to semiconductors and advanced manufacturing.
- HB 2839** ✗ Would have required the Oregon Tourism Commission to identify, designate, and monitor tourism districts in this state.
- HB 2908 A** ✗ Would have appropriated \$10 million to the Oregon Business Development Department to develop and implement a process to award grants to small business development centers for the purpose of driving economic development and expanding service to small businesses.
- HB 2910** ✗ Would have appropriated \$3.5 million to the Oregon State University Center for the Outdoor Recreation Economy to support outdoor recreation industry programs, innovation, workforce development, and wildfire recovery.
- HB 2911** ✗ Would have directed the Oregon Business Development Department to develop and implement program to award grants to county fair operators for repair, maintenance, and operation of county fairgrounds.
- HB 3250** ✗ Would have established the Task Force on the State of Sport in Oregon to make recommendations on how to grow business in athletics, team sports, outdoor activities, and recreation industry.
- HB 3251 A** ✗ Would have appropriated \$2 million to the Oregon Tourism Commission to establish and administer a grant program to promote, develop, and sustain opportunities for agricultural tourism in rural communities.
- HB 3254 A** ✗ Would have required the Higher Education Coordinating Commission (HECC) to establish a semiconductor advisory committee to develop statewide strategy to guide investments and build educational pathways and research capacity in the semiconductor industry.
- HB 3317** ✗ Would have established the Wallowa Rural and Recreational Economic Development Board to focus on, and make grants or loans for, workforce development, workforce housing, and economic development.



- HB 3349 A ✗ Would have established infrastructure funding readiness hubs and funding navigators as a collaborative partnership between Oregon Solutions at Portland State University, the Governor's Regional Solution team, and local government and community organizations. The organizations would have been directed to collaborate to improve awareness of, and access to, state and federal funding opportunities, with a focus on near-term federal funding opportunities for organizations that lack sufficient capacity to effectively navigate, seek, and apply for relevant federal funding available such as the Infrastructure Investment and Jobs Act (IIJA) and the Inflation Reduction Act (IRA).

Finance

- HB 2274 ✓ Updates Department of Consumer Business and Services oversight of securities and authorizes the imposition of an increased civil penalty in cases where an injured investor is a vulnerable person.
- HB 2287 ✓ Clarifies that the Appraiser Certification and Licensure Board determines the criteria for registration or certification of appraisal management companies.
- HB 3200 ✓ Amends Oregon law to permit a credit union to invest in or lend money to a corporation, limited liability company, or mutual association that provides goods or services associated with the routine operations of the credit union and the investment or loan is reasonably related to the credit union's use or potential use of the goods or services provided.

General Business

- SB 184 ✓ Requires an employer to report to the Division of Child Support of the Oregon Department of Justice when they engage or reengage an independent contractor for more than 20 days.
- HB 2052 ✓ Requires data brokers handling the personal information of Oregonians to register annually with the Department of Consumer and Business Services, which must make the information of all registrants available to the public on the agency's website. The measure prohibits data brokers from collecting, selling, or licensing personal data in Oregon without registration. The measure also imposes civil penalties.
- HB 2053 ✗ Would have provided that a person who conducts or transacts business under an assumed business name that is not registered, or does not maintain registration for, lacks standing in state court to maintain action on behalf of business.
- HB 2108 ✓ Changes requirements for the Secretary of State (SOS) to withdraw any



certificate of filing or document submitted for filing and clarifies that a document filed between January 1, 2020, and the effective date of the measure is not invalid because the SOS accepted the document for filing without the required statutory declarations.

- HB 2109 ✓ Prohibits a corporation sole from being reinstated on or after June 8, 2015, but allows a corporation that existed before June 8, 2015, to continue to operate as a corporation sole if it remains active and was not dissolved.
- HB 2536 ✗ Would have established requirements for how and when a third-party delivery platform may take orders and make deliveries on behalf of a restaurant.
- HB 2975 ✓ Increases the pawn broker storage fee from five percent to seven percent for loans and loan renewals, and increases the firearm fee from \$3 to \$5 on new loans and \$1 to \$3 on firearm renewals.
- HB 3272 A ✗ Would have allowed the Secretary of State to collect information about ethnicity, gender, veteran status, and street address or electronic mail address of each owner and principal of business that applies for or renews business registration.

Incentive Programs

- SB 5 ✗ Would have reestablished the tax credit only for corporations with qualified research activities essential to the semiconductor industry or other advanced manufacturing industries. The measure would have increased the maximum credit amount to \$9 million and made the credit partially refundable to taxpayers with fewer than 150 employees.
- HB 2199 A ✗ Would have extended Enterprise Zone program by moving sunset from June 30, 2025 to June 30, 2030.
- HB 2258 A ✗ Would have extended the sunset of the Oregon Industrial Site Readiness Program (Program) from 2023 to 2033 and appropriates \$40 million to support the Program. The measure also would have established the Industrial Site Loan Fund to provide project sponsor financial assistance for development projects, forgivable loans for planning projects, or other forms of financial assistance to invest in preparation of land for development projects including planning project activities that are necessary or useful to a development project.
- HB 2270 ✓ Modernizes provisions of the Oregon Port Revolving Fund program by eliminating the \$100 application fee and removing the \$3 million lending cap. The measure also changes the language relating to Business Oregon's authority to set interest rates and extends the maximum loan terms under the program from 25 to 30 years.



- HB 2663 ✗ Would have extended the sunset of the Oregon Industrial Site Readiness Program (Program) from 2023 to 2033 and appropriated \$50 million to support the Program.

Insurance

- HB 2277 ✗ Would have required third-party insurance plan administrators (TPAs) that operate on behalf of self-insured employers to be licensed through the Department of Consumer and Business Services. The measure would have also clarified that an insurer is responsible for activities of TPAs that the insurer has contracted with for plan administration.
- HB 2282 ✓ Permits the Director of Department of Consumer and Business Services to contract with more than five independent review organizations for the purpose of external review of health benefit plans in Oregon. In addition, the measure updates in statute the current list of preventative health services required to be covered under federal law without cost-sharing.
- HB 2449 ✗ Would have prohibited an insurer from canceling or raising premiums on fire insurance by more than three percent, if an insured person's property is located within wildland-urban interface or insured person's primary employment or economic or business activity is farming or resource extraction.
- HB 2920 ✗ Would have required an insurer to only consider an individual's safe driving history, miles driven, driving experience, and other information specified by Department of Consumer and Business Services when determining eligibility, premiums, or rates for a motor vehicle liability insurance policy.
- HB 2982 ✓ Allows an insured person with personal insurance who experiences a total loss to receive a 70 percent payout of the personal property coverage without an inventory documentation, if the person provides documentation to the Department of Consumer and Business Services that the home was furnished, and the loss occurred as a direct result of a major disaster in a location that was subject to a declaration of a state of emergency.
- HB 3186 ✗ Would have required insurance coverage for motor vehicles made available as part of peer-to-peer car sharing arrangement.

Marijuana Regulation

- HB 2505 ✗ Would have increased the maximum tax that a governing body of a city or county may impose on the sale of marijuana from three percent to 10 percent.
- HB 2515 A ✗ Would have modified regulation of cannabis-related businesses to allow use of a motion detection camera system at licensed premises; created a "greenhouse" designation for a producers' license; authorized the Oregon



Liquor and Cannabis Commission (OLCC) to adopt rules to allow marijuana licensee to use electronic technology to verify consumers age; and allowed OLCC to process applications and issue licenses on a per-capita basis.

- HB 2516 A ✗ Would have permitted a marijuana producer to operate a cannabis tourism center to provide tours of the marijuana production facilities, educational activities related to marijuana production, marketing and sale of marijuana items processed by marijuana producer, and sampling of usable marijuana. The measure also would have allowed the Oregon Liquor and Cannabis Commission to adopt rules to permit delivery of marijuana items by marijuana retailer to consumer at a hotel or inn.
- HB 2517 ✗ Would have exempted a licensed cannabis business, located in an enterprise zone, from first-source hiring agreement requirements.
- HB 3049 A ✗ Would have directed the Oregon Liquor and Cannabis Commission to establish an annual registration program and labeling requirements for industrial hemp commodities or products that contain cannabinoids and are intended for human or animal consumption.
- HB 3183 ✗ Would have required the Oregon Liquor and Cannabis Commission to require an applicant for a cannabis-related license or license renewal to submit a signed attestation that an applicant will not interfere with labor organizing efforts or that an applicant and labor organization, certified to represent applicants' employees, have entered into and will abide by labor peace agreements.
- HB 3431 ✗ Would have provided a permanent revenue stream from the Oregon Marijuana Account to fund the Economic Equity Investment Program.
- HB 3466 A ✗ Would have appropriated funding to areas of Oregon that have census tracts with a federal poverty rate above 23 percent to develop local poverty reduction plans and work with the Oregon Business Development Department to refine that plan.

Professional Licensure

- SB 224 ✓ Updates and modernizes statutes that regulate the practice of architecture in Oregon to conform with actual current practice of architecture.
- SB 304 A ✗ Would have established the Task Force on Occupational Licensing to study the value of an occupational licensing regulatory agency in Oregon.
- SB 849 A ✗ Would have required professional licensing boards to provide culturally responsive training to specified staff members, publish guidance on their websites on pathways to professional licensure, certification, or authorization for internationally educated persons, and waive requirements for English



proficiency examination for specified internationally educated persons and establishes the Internationally Educated Workforce Reentry Grant Program within the Higher Education Coordinating Commission.

SB 857



Would have enacted the Recognition of Emergency Medical Services Personnel Licensure Interstate Compact.

HB 2523



Allows a person to sit for the certified public accountant examination when they have completed 120 semester hours or 180 quarter hours.

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