

# WHAT BUSINESSES SHOULD KNOW ABOUT OREGON'S NEW PRIVACY LAW

The Oregon Consumer Privacy Act went into effect for certain businesses on July 1, 2024, and will apply to nonprofits on July 1, 2025. It gives Oregonians control over their personal data by providing ways to access their data and requiring businesses to comply.

The law adds new requirements for businesses to limit the collection of the personal data of Oregon consumers, be transparent about how they use and secure that data, and provide additional protections for the data of children and teens.

Businesses also must have an accessible privacy notice with contact information and a way for consumers to request their rights under the law.

Qualifying private businesses must meet new standards to follow the law. Find out if your business qualifies [here](https://www.doj.state.or.us/consumer-protection/for-businesses/privacy-law-faqs-for-businesses/).

## Businesses qualify if they are:

- 1 Located in Oregon, **or**
- 2 Located outside of Oregon but provide their goods/services to Oregon residents, **and**
- 3 Collect/use data from more than 100,000 Oregonians, **or**
- 4 Have data from at least 25,000 Oregonians, and at least 25% of their gross revenue comes from selling\* data.

\* "Selling" could be the exchange of money for customer personal data or a gained "value," such as the exchange of a customer list with another business or nonprofit.

## If your business qualifies, here's what you need to do:

- ✓ **Create a public privacy notice** that describes why your company is collecting personal data.
- ✓ **Provide a response to rights requests.** Your privacy notice must provide a way for consumer to revoke consent to data collection and provide a way for consumers to contact your business and invoke their rights under the OCPA.



## What is personal data?



**Personal data** includes, but is not limited to a person's name, address, email, login credentials, or browsing history on a smart TV.

**Sensitive data** is a type of personal data that includes private information such as race, ethnicity, religion, mental or physical health, sexuality, or location.

**Any data about children under 13 is considered sensitive and has extra protection. There are also extra protections for the data of teens.**

This law does not restrict what is called "deidentified data," which is data that cannot be linked to individual consumers, and data that is publicly available.



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