

[Or. Rev. Stat. §§ 646A.600–.604, 646A.624–.626](#)

Quick Facts	Breach Based on Harm Threshold	Deadline for Consumer Notice	Government Notification Required
	YES	Most expeditious manner possible and without unreasonable delay	YES, if >250 residents affected

More Details

Scope of this Summary	Notification requirements applicable to persons that own or license covered info in the course of business, vocation, occupation or volunteer activities. Some types of businesses may be exempt from some or all of these requirements and non-commercial entities may be subject to different requirements.
Covered Info	<p>First name or first initial and last name, plus: Social Security number; driver license or state identification card number issued by the Department of Transportation; passport or other US issued identification number; financial account, credit or debit card number, in combination with any required security or access code or password that would permit access to the resident's financial account; data from automatic physical characteristics measurements used to authenticate identity in the course of a financial or other transaction (e.g. fingerprint, retina, etc.); health policy or health insurance identification number combined with any other unique identifier used by a health insurer to identify the resident; or medical history, mental or physical condition, or medical diagnosis or treatment information.</p> <p>Covered information also includes any of the above data elements without the name, if that information would be sufficient to permit a person to commit identity theft.</p>
Form of Covered Info	Electronic only
Encryption Safe Harbor	Statute does not apply to information that is encrypted, redacted or rendered unusable with other methods, so long as encryption key was not accessed or acquired.
Breach Defined	Unauthorized access or acquisition that materially compromises the security, confidentiality or integrity of the covered info, excluding certain good-faith acquisitions by employees or agents.
Consumer Notice	<p>Timing: Must be made in the most expeditious time possible and without unreasonable delay and consistent with any measures necessary to determine sufficient contract info, determine the scope of the breach, or restore the reasonable integrity, security and confidentiality of the data.</p> <p>Content: Notice must include a description of the incident in general terms, the approximate date of the breach, the type of covered entity that was obtained as a result of the breach, contact info for the covered entity, contact info for the national CRAs, and advice to report suspected identity theft to law enforcement, including the Attorney General and the FTC.</p> <p>Method: By written notice, electronic notice if it is the covered entity's customary method of communication with the affected resident or is consistent with E-SIGN, or by telephone contact made directly to the affected resident. Substitute notice is available if certain criteria are satisfied.</p>
Delayed Notice	Notification may be delayed if law enforcement determines that notice will impede criminal investigation and has made a written request that the notification be delayed.
Harm Threshold	Notification not required if, after an appropriate investigation or after consultation with relevant federal, state or local law enforcement, the entity reasonably determines that affected Oregon residents are unlikely to suffer harm. The determination must be documented in writing and retained for five years.
Consumer Agency Notice	If more than 1,000 residents are affected, must notify all nationwide CRAs without unreasonable delay of timing, distribution, content of the consumer notice and include a police number report, if available. Notification may not be delayed.
Government Notice	Must notify the Attorney General via mail or email of any breach that affects more than 250 residents.
Third-Party Notice	If you maintain covered info on behalf of another entity, you must notify them immediately following discovery of a breach.
Potential Penalties	Violations may result in civil penalties.

Last revised on July 11, 2016

This summary is for informational purposes only. It provides general information and not legal advice or opinions regarding specific facts. Additional requirements or conditions may apply to any or all provisions referenced herein. For more information about the state data breach notification laws or other data security matters, please seek the advice of counsel.