SmartSuite

Framework / Privacy / Global Privacy Regulations

Oregon Consumer Privacy Act (SB 619, 2023), ORS 646A.570 to 646A.589

The Oregon Consumer Privacy Act (ORS 646A.570 to 646A.589) gives consumers six rights, including a third-party list, and sets controller duties the Oregon DOJ enforces since July 1, 2024.



What it is

The Oregon Consumer Privacy Act (OCPA, Senate Bill 619 of 2023, ORS 646A.570 to 646A.589) is Oregon's consumer privacy law, in force since July 1, 2024 for any person that conducts business in Oregon or provides products or services to Oregon residents and that, in a calendar year, controls or processes the personal data of 100,000 or more consumers, or of 25,000 or more consumers while deriving 25 percent or more of annual gross revenue from selling personal data (ORS 646A.572(1)). Tax-exempt nonprofits came under the act on July 1, 2025 (SB 619 section 13), and a motor vehicle manufacturer or affiliate that processes data from a consumer's use of a vehicle is covered whatever its volumes (ORS 646A.572(1)(b), added in 2025).

At a glance

PUBLISHER Oregon Legislative Assembly; enforced by the Oregon Department of Justice (Attorney General)	TYPE Regulation	VERSION SB 619 (2023, Oregon Laws chapter 369), ORS 646A.570 to 646A.589, as amended through HB 2008 (2025)
EFFECTIVE July 1, 2024 (nonprofits July 1, 2025; opt-out preference signals, end of the cure period and the HB 2008 sale bans January 1, 2026)	DOMAIN Privacy	FAMILY Global Privacy Regulations
REGION Oregon	ADOPTION MODEL Regulatory Compliance	IMPLEMENTATION COMPLEXITY High

Source: oregonlegislature.gov/bills_laws/ors/ors646A.html

Why it matters

- **The third-party list** A consumer may obtain a list of the specific third parties, other than natural persons, that received the consumer's personal data or any personal data (ORS 646A.574(1)(a)(B)); the controller chooses which of the two lists it gives.
- **Nonprofits included** SB 619 section 13 delayed the act for 501(c)(3) organizations only until July 1, 2025; the Department of Justice publishes separate FAQs for nonprofits.
- **A wide sensitive-data definition** Racial or ethnic background, national origin, religious beliefs, mental or physical condition or diagnosis, sexual orientation, transgender or nonbinary status, crime-victim status, citizenship or immigration status, a child's data, precise location and genetic or biometric data (ORS 646A.570(18)).
- **Teen and location data** No targeted advertising or significant profiling of a consumer known or willfully disregarded to be under 16, and since HB 2008 no sale of that consumer's data or of 1,750-foot location data (ORS 646A.578(2)(c) and (d)).

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How SmartSuite supports OCPA

Data Inventory by Category

Record each personal data category, its purposes, whether it is sensitive under ORS 646A.570(18), and the third parties that receive it, so the ORS 646A.578(4) notice and the ORS 646A.574 third-party list are generated from one source.

Consumer Request Queue

Log access, copy, correction, deletion and opt-out requests with the ORS 646A.576 45-day deadline, the single extension, authentication steps, agent and signal-based opt-outs and the 45-day appeal decision.

Data Protection Assessment Register

Document each ORS 646A.586 assessment with the processing activity, benefits, risks, safeguards and sign-off, retain it for five years and produce it on an Attorney General demand.

Processor Contract Tracker

Register each processor in Third Party Risk Management against the eight ORS 646A.581(2) contract terms, subcontractor flow-down and the periodic assessment the contract allows.

Consent and Revocation Log

Capture consent for sensitive data and incompatible purposes, record revocations and evidence that processing stopped within the 15 days ORS 646A.578(1)(d) allows.

Opt-Out and Minors Controls

Track the opt-out link, preference-signal handling from January 1, 2026, and the under-16 and location-data sale bans in ORS 646A.578(2)(c) and (d) as tested controls in Compliance Management.

Common framework mappings

SOC 2 | CIS Controls v8.1 | GDPR | ISO 27001:2022 | ISO 27701 | NIST CSF 2.0 | NIST Privacy Framework v1.0 | NIST 800-53 Rev.5 | PCI DSS 4.0.1 | CCPA/CPRA | Oregon ORS 646A

Official resources

Oregon Consumer Privacy Act (ORS 646A.570–646A.589) — Statutory Text

Provides the full legal text of the Oregon Consumer Privacy Act as codified in Oregon Revised Statutes.

oregonlegislature.gov/bills_laws/ors/ors646A.html

Oregon DOJ OCPA First Year Enforcement Report

Provides enforcement overview, consumer complaints, and implementation summary for the first year of OCPA.

doj.state.or.us/wp-content/uploads/2025/08/OCPA-One-Year-Enforcement-Report-2025.pdf

Oregon DOJ Privacy Law FAQs for Businesses

Provides implementation guidance, applicability thresholds, and controller obligations under the OCPA.

doj.state.or.us/consumer-protection/for-businesses/privacy-law-faqs-for-businesses

Oregon DOJ Consumer Privacy Main Page

Provides overview of OCPA, access to FAQs, templates, educational handouts, and enforcement reports.

doj.state.or.us/consumer-protection/id-theft-data-breaches/privacy

Frequently asked questions

Who must comply with the Oregon Consumer Privacy Act?

Any person that conducts business in Oregon or provides products or services to Oregon residents and, during a calendar year, controls or processes the personal data of 100,000 or more consumers (payment-only processing excluded) or of 25,000 or more consumers while deriving 25 percent or more of annual gross revenue from selling personal data (ORS 646A.572(1)). Nonprofits have been covered since July 1, 2025, and motor vehicle manufacturers and their affiliates are covered for vehicle-use data regardless of the thresholds. Public bodies, HIPAA protected health information, GLBA data, financial institutions under ORS 706.008, insurers and employment data are among the exemptions in ORS 646A.572(2).

What rights does the OCPA give Oregon consumers?

Under ORS 646A.574 a consumer may confirm whether a controller processes their data and learn the categories, obtain a list of the specific third parties that received personal data, receive a portable copy, correct inaccuracies, delete personal data from any source including derived data, and opt out of targeted advertising, the sale of personal data and profiling for decisions with legal or similarly significant effects. ORS 646A.576 requires a response within 45 days, extendable once by 45 days, and an appeal decided within 45 days.

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What must an OCPA privacy notice contain, and do opt-out signals have to be honored?

ORS 646A.578(4) requires a reasonably accessible, clear and meaningful notice that lists the categories of personal and sensitive data processed, the purposes, how to exercise rights and appeal, the categories shared and the categories of third parties, a monitored contact method, the controller's registered and assumed business names, any targeted advertising or profiling with an opt-out procedure, and the request methods. Since January 1, 2026, ORS 646A.578(5)(c) also requires the controller to honor an opt-out preference signal that uses no default setting and reflects the consumer's affirmative choice.

When does the OCPA require a data protection assessment?

ORS 646A.586 requires a documented assessment for each processing activity that presents a heightened risk of harm: targeted advertising, processing sensitive data, selling personal data, and profiling that risks unfair treatment, injury, intrusion or other substantial harm. The assessment weighs the benefits to the controller, consumer, stakeholders and public against the risks and the mitigating safeguards. It applies to processing on or after July 1, 2024, must be kept for at least five years, is confidential, and may be demanded by the Attorney General during an investigation.

How is the OCPA enforced, and what changed in 2026?

The Attorney General has exclusive authority (ORS 646A.589(7)); there is no private right of action. The Department of Justice may serve investigative demands and sue for a civil penalty of up to $7,500 per violation or an injunction within five years of the last violating act. The 30-day cure notice that SB 619 section 9(5) provided ended on January 1, 2026, when section 11 took effect, and a 2025 extension limited to certain noncommercial educational broadcasters expired on July 1, 2026. HB 2008, also operative from January 1, 2026 under ORS 171.022, added the bans on selling data of consumers under 16 and precise location data within 1,750 feet.

License included / downloadable: Yes ORS chapter 646A is free to read on the Legislative Assembly's website; the enrolled bills are on OLIS and the Department of Justice publishes its FAQs and enforcement reports free.

Full framework page and mappings: smartsuite.com/frameworks/us-oregon-consumer-privacy-act-ocpa

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