

House Joint Resolution 17

Sponsored by Representative GIROD; Representatives BERGER, BOQUIST, BRUUN, BUTLER, CAMERON, DALLUM, ESQUIVEL, FLORES, GARRARD, GILLIAM, GILMAN, HANNA, KRIEGER, LIM, MAURER, MINNIS, OLSON, SCOTT, G SMITH, WHISNANT, Senators BEYER, G GEORGE, L GEORGE, KRUSE, MORSE, STARR

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**.

Proposes amendment to Oregon Constitution to limit awards of noneconomic damages against nonprofit corporations to \$1 million.

Refers proposed amendment to people for their approval or rejection at next regular general election.

JOINT RESOLUTION

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2 **Be It Resolved by the Legislative Assembly of the State of Oregon:**

3 **PARAGRAPH 1.** The Constitution of the State of Oregon is amended by creating a new section
4 12 to be added to and made a part of Article XV, such section to read:

5 **SECTION 12. (1) Noneconomic damages may not be recovered against a nonprofit corpo-**
6 **ration in an amount that exceeds \$1 million. The limitation of this section applies to all**
7 **subjective, nonmonetary losses, including but not limited to pain, mental suffering, emotional**
8 **distress, humiliation, injury to reputation, loss of care, comfort, companionship and society,**
9 **loss of consortium, inconvenience and interference with normal and usual activities apart**
10 **from compensated employment.**

11 **(2) For the purposes of this section, a nonprofit corporation is a corporation that is or-**
12 **ganized for the conduct of charitable, benevolent, eleemosynary, humane, patriotic, religious,**
13 **philanthropic, recreational, social, educational, civic or fraternal activities, and that is ex-**
14 **empt from federal income taxation by reason of those activities.**

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16 **PARAGRAPH 2.** The amendment proposed by this resolution shall be submitted to the
17 **people for their approval or rejection at the next regular general election held throughout**
18 **this state.**

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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.