

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	8 - 2 - 0
Yeas:	Barton, Garrett, Krieger, Olson, Shields, Smith J., Stiegler, Barker
Nays:	Cameron, Whisnant
Exc.:	0
Prepared By:	Anna Braun, Counsel
Meeting Dates:	3/11, 3/24, 4/07, 4/13

WHAT THE MEASURE DOES: Allows plaintiff to bring antitrust lawsuit if they are an indirect purchaser. Allows Department of Justice lawsuit to be deemed superior to a private plaintiff's suit, if the Department files within thirty days on behalf of the same class of people.

ISSUES DISCUSSED:

- Attorney General staffing limitations
- Settlement history for Oregon consumers

EFFECT OF COMMITTEE AMENDMENT: Provides rules for allowing the Department of Justice to take priority in the event both a private plaintiff and the Department of Justice file lawsuits.

BACKGROUND: In 1977, the US Supreme Court decided Illinois Brick which held that only a direct purchaser could bring a lawsuit for an antitrust violation. Since that time 23 states have passed laws allowing indirect purchasers to sue for antitrust violations. In 2001, Oregon passed a partial repeal of the Illinois Brick rule by allowing the Attorney General's office to bring cases on behalf of consumers. HB 2584 A allows indirect purchasers including consumers and businesses to file lawsuits for alleged antitrust injuries.