

**REVENUE: No revenue impact**

**FISCAL: Minimal fiscal impact, no statement issued**

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**Action:** Do Pass the A-Engrossed Measure

**Vote:** 3 - 2 - 0

**Yeas:** Bonamici, Dingfelder, Prozanski

**Nays:** Boquist, Whitsett

**Exc.:** 0

**Prepared By:** Anna Braun, Counsel

**Meeting Dates:** 5/11, 5/18

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

**ISSUES DISCUSSED:**

- Mechanism for Attorney General precedence
- Attorney General does not represent businesses
- Method for awarding damages
- Possibility of multiple damages

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** In 1977, the U.S. 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 2584A allows indirect purchasers, including consumers and businesses, to file lawsuits for alleged antitrust injuries.