

Senate Bill 699

Sponsored by Senator FERRIOLI; Senators GEORGE, GIROD, KRUSE, TELFER, WHITSETT

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**.

Limits recovery of attorney fees and costs in nuisance or trespass cases that involve farming or forest practices to defendants.

A BILL FOR AN ACT

1
2 Relating to entitlement of judgment in certain causes of action; amending ORS 30.938.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 30.938 is amended to read:

5 30.938. In any action or claim for relief alleging nuisance or trespass and arising from a practice
6 that is alleged by either party to be a farming or forest practice, the [*prevailing party*] **defendant**
7 shall be entitled to judgment for reasonable attorney fees and costs incurred at trial and on appeal.
8

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.