

REVENUE: Revenue statement issued

FISCAL: Fiscal statement issued

Action:	Without Recommendation as to Passage and Be Referred to the Committee on Ways and Means by Prior Reference
Vote:	9 - 1 - 0
Yeas:	Hicks, Nolan, Olson, Schaufler, Tomei, Wand, Whisnant, Barker, Krieger
Nays:	Garrett
Exc.:	0
Prepared By:	Bill Taylor, Counsel
Meeting Dates:	4/8, 4/21

WHAT THE MEASURE DOES: Creates the Courthouse Capital Improvement Trust Fund (Fund) and deposits in Fund moneys received from punitive damage awards. Directs that moneys in Fund be used for courthouse capital improvements. Directs that 10 percent of punitive damage awards go to Fund.

ISSUES DISCUSSED:

- Estimated cost of replacing, renovating and repairing courthouses - \$843 million

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Punitive damages are awarded “when it is proven by clear and convincing evidence that the party against whom punitive damages are sought has acted with malice or has shown a reckless and outrageous indifference to a highly unreasonable risk of harm and has acted with conscious indifference to the health, safety and welfare of others” ORS 31.730(1). Currently, the prevailing party receives 40 percent of all punitive damages and the Criminal Injuries Compensation Account receives 60 percent. Counties are required to provide suitable and sufficient courtrooms, offices and jury rooms, ORS 1.185.