

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

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| Action: | Do Pass as Amended and Be Printed Engrossed |
| Vote: | 9 - 0 - 0 |
| Yeas: | Barton, Cameron, Garrett, Hicks, Krieger, Olson, Tomei, Williamson, Barker |
| Nays: | 0 |
| Exc.: | 0 |
| Prepared By: | Anna Braun, Counsel |
| Meeting Dates: | 2/20 |

WHAT THE MEASURE DOES: Makes acting as an immigration consultant an unlawful trade practices act violation unless person is an active member of the bar or authorized by federal law.

ISSUES DISCUSSED:

- Provisions of the measure

EFFECT OF COMMITTEE AMENDMENT: Deletes reference to ORS 9.160(1) and adds reference to ORS 9.280, which prohibits acting as an immigration consultant unless a person is an active member of the state bar or authorized by federal law.

BACKGROUND: The Oregon State Bar is charged with prosecuting the unlawful practice of law, but does not have the resources to pursue violators. House Bill 2573A makes acting as an immigration consultant without authorization an unlawful trade practices act violation under ORS 646.608, which provides a private cause of action with attorney fees and the possibility for punitive damages. The original bill covered all unauthorized practices of law. The amended version of the bill focuses on the practice of “Notario Publicos” who act as immigration consultants, but do not have the authority to do so.