

REVENUE: No revenue impact

FISCAL: No fiscal impact

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<b>Action:</b>	Do Pass as Amended and Be Printed Engrossed and Be Referred to the Committee on Rules
<b>Vote:</b>	4 - 0 - 1
<b>Yeas:</b>	Baertschiger, Monnes Anderson, Prozanski, Shields
<b>Nays:</b>	0
<b>Exc.:</b>	George
<b>Prepared By:</b>	Channa Newell, Administrator
<b>Meeting Dates:</b>	4/12

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**WHAT THE MEASURE DOES:** Allows Director of Department of Consumer and Business Services to seek restitution on behalf of consumer for actual damages consumer suffers as result of insurer's violation of Insurance Code, breach of contract or policy, or violation of applicable federal law. Clarifies action by Director is not right of action for any other person.

**ISSUES DISCUSSED:**

- Original intent of measure
- Provisions of amendment

**EFFECT OF COMMITTEE AMENDMENT:** Removes provisions relating to complaint and investigation process through Department of Consumer and Business Services. Clarifies action by Director to seek restitution on behalf of consumer is not a right of action for any other person.

**BACKGROUND:** Oregon law gives authority to the Director of the Department of Consumer and Business Services (DCBS) to take any needed actions necessary to enforce the Insurance Code and allows DCBS to refer a suspected violation of the Insurance Code to the Attorney General or district attorney.

Senate Bill 414-A gives the Director of DCBS the power to seek restitution on behalf of a consumer who suffers damage as a result of an insurer's violation of the Insurance Code, but clarifies that the restitution power does not provide a right of action to any other individual.