



DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

MEASURE: HB 4143
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TESTIMONY ON HB 4143
February 6, 2014

Presented by:

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Department of Justice**

This testimony is presented in support of HB 4143.

How this Bill Changes Current Law

HB 4143 allows the court in state class action litigation to direct unclaimed damages to be sent to the Oregon Rainy Day Fund.

Key Points of Legislation

HB 4143 amends ORCP 32 (F) and (L).

Background/Additional Information

Under the Oregon Rules of Civil Procedure (ORCP 32(F)), in a class action where the defendant has been found liable and has been ordered to pay a certain amount of money as damages, the individual class members are required to submit individual claims. Historically, the response of class members is less than 50%. The remaining money is returned to the liable defendant. In our research, Oregon is one of a few states on the west coast which allow the unclaimed damages to be returned to the malfeisor. California, Washington and Hawaii allow distribution to other entities.

Fiscal Impact

No known fiscal impact on Department of Justice.

Amendments Pending

None.

Recommended Action

It is recommended that the Committee pass this bill.

DOJ Contact

For further information, please contact Aaron Knott or Fred Boss at (503) 378-6002.