

Class Action Rewrite: False promise, political overreach

HB 2700 claims to “reform” Oregon’s class action system while promising to “rescue” Oregon Legal Aid.

In reality, this legislation sends the wrong message to business and will not deliver the huge windfall proponents claim. We oppose this approach because:

- **It will not result in a stable, sustainable source of funding for Legal Aid.** After analyzing a nearly identical proposal from 2014 (House Bill 4143), the Legislative Revenue Office was unable to determine any estimated revenue amount that might be generated for Legal Aid. In his report, the Legislature’s chief Revenue Officer cited the “uneven, unpredictable manner” in which class action settlements occur.
- **Proponents are counting on one particular class action case that will be appealed.** This case could be tied up in the courts for five years and not a single dollar will go to Legal Aid before it is resolved. If the appeal succeeds, this legislation will generate no money for Legal Aid.
- **Changing the rules in the middle of the game is not fair play.** Writing legislation to target litigation that has already been tried and a verdict rendered is unjust and will likely be challenged in court.
- **Oregon has a carefully balanced class action system.** Our state’s unique class action rules pair access to the class action process with a rigorous post-trial claims process to make sure that only persons in a certified class who are truly injured collect damages. The changes proposed in these bills would leave Oregon with a class action law unlike any other state and would upset a balanced system.

Oregon businesses encourage the 2015 Legislature to engage in a thoughtful discussion of any proposed changes to the state’s class action rules. It’s important for the true impacts to be understood. For more information, please contact Fawn Barrie – 503-580-5487.

All State
JL Wilson, Mark Nelson

American Insurance Association
Paul Cosgrove, Alec Shebiel

AOI
Betsy Earls

Cambia Health Solutions
Tom Holt, Elizabeth Slater

Farmers Insurance
Brian Miller

Glaxo Smith Kline
Jody Daniels, Nan Heim

Health Net
Lisa Trussell

NFIB
Jan Meekoms

NW Food Processors
Ian Tolleson

Northwest Auto Trades Association
Darrell Fuller

Oregon Bankers Association
Tim Martinez

Oregon Farm Bureau
Katie Fast, Jennifer Dressler

Oregon Financial Services Association
Paul Cosgrove, Alec Shebiel

Oregon Forest Industries Council
Kristina McNitt

Oregon Fuels Association
Danelle Romain

Oregon Home Builders Association
Jon Chandler

Oregon Liability Reform Coalition
Fawn Barrie, Mike Dewey

Oregon Motor Sports Association
Darrell Fuller

OE St. Assn. of Plumbing-Heating-Cooling
Contractors
Darrell Fuller

Oregon Trucking Association
Bob Russell

Oregon Vehicle Dealers Association
Darrell Fuller

Property and Casualty Insurers Assn. of America
Shawn Miller