

A-Engrossed
House Bill 4008

Ordered by the House February 13
Including House Amendments dated February 13

Sponsored by Representatives POWER, STARK, Senator PROZANSKI, Representative SANCHEZ; Representatives ALONSO LEON, BARKER, BARNHART, BARRETO, BOLES, BONHAM, BOONE, BUEHLER, BYNUM, CLEM, DOHERTY, ESQUIVEL, EVANS, FAHEY, FINDLEY, GOMBERG, GORSEK, GREENLICK, HAYDEN, HEARD, HELFRICH, HELM, HERNANDEZ, HOLVEY, KENNEMER, KENY-GUYER, KOTEK, LEWIS, LIVELY, MALSTROM, MARSH, MCKEOWN, MCLAIN, MCLANE, MEEK, NATHANSON, NEARMAN, NOBLE, NOSSE, OLSON, PARRISH, PILUSO, POST, REARDON, RESCHKE, SALINAS, SMITH DB, SMITH G, SMITH WARNER, SOLLMAN, SPRENGER, VIAL, WHISNANT, WILLIAMSON, WILSON, WITT, Senators FREDERICK, MANNING JR, MONNES ANDERSON, STEINER HAYWARD, TAYLOR (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

[Prohibits fact finder from determining plaintiff's damages for civil cause of action using calculation for projected future earning potential of plaintiff that takes into account race or ethnicity of plaintiff.]

Makes calculation of projected future earning potential of plaintiff that takes into account race or ethnicity of plaintiff inadmissible in civil action.

Directs court to instruct jury in civil action involving claim for projected future earnings that jury may not consider race or ethnicity of plaintiff.

A BILL FOR AN ACT

1
2 Relating to damages for civil causes of action that take into account race or ethnicity of plaintiff.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) A calculation of the projected future earning potential of the plaintiff**
5 **that takes into account the race or ethnicity of the plaintiff is inadmissible in any civil**
6 **action.**

7 **(2) The court shall instruct the jury in a civil action involving a claim for projected fu-**
8 **ture earnings that the jury may not consider the race or ethnicity of the plaintiff in deter-**
9 **mining whether to award damages for projected future earnings or the amount of damages**
10 **for projected future earnings.**

11 **SECTION 2. Section 1 of this 2018 Act applies to causes of action arising on or after the**
12 **effective date of this 2018 Act.**

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NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.