

FISCAL IMPACT OF PROPOSED LEGISLATION

80th Oregon Legislative Assembly – 2019 Regular Session
Legislative Fiscal Office

Measure: HB 2882

*Only Impacts on Original or Engrossed
Versions are Considered Official*

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Date: April 1, 2019

Measure Description:

Allows cause of action against patent holder or licensed manufacturer for genetically engineered organism present on land without permission of owner or lawful occupant.

Government Unit(s) Affected:

Oregon Judicial Department (OJD)

Summary of Fiscal Impact:

Costs related to the measure are indeterminate at this time - See explanatory analysis.

Analysis:

HB 2882 allows a land owner or lawful occupant to sue the patent holder of a genetically engineered organism when the organism appears on the property without permission. The plaintiff may obtain treble economic damages, reasonable costs, and attorney fees. If an organism appears on land owned or occupied by a public body and the public body refuses to bring a claim against the patent holder, the measure allows an individual residing within the jurisdiction of the public body to bring an action against the patent holder on behalf of the public body. If the individual prevails, that individual may be awarded reasonable costs and attorney fees.

The Oregon Judicial Department expects a number of lawsuits to be filed statewide as a result of this bill. In addition, the lawsuits are expected to be more complicated and lengthier than a standard civil lawsuit. The actual number of potential lawsuits, however, is unknown. The fiscal impact to OJD is indeterminate.