

Requested by Senator THATCHER

**PROPOSED AMENDMENTS TO
HOUSE BILL 2014**

1 On page 1 of the printed bill, line 2, after “provisions;” insert “and”.

2 In line 3, delete “; and declaring an emergency”.

3 Delete lines 5 through 31.

4 On page 2, delete lines 1 and 2 and insert:

5 **“SECTION 1.** ORS 31.710 is amended to read:

6 “31.710. (1) Except for claims subject to ORS 30.260 to 30.300 and ORS
7 chapter 656, in any civil action seeking damages arising out of bodily injury,
8 including emotional injury or distress, death or property damage of any one
9 person including claims for loss of care, comfort, companionship and society
10 and loss of consortium, the amount awarded for noneconomic damages, **as**
11 **defined in ORS 31.705**, shall not exceed \$500,000.

12 “[*(2) As used in this section:*]

13 “[*(a) ‘Economic damages’ means objectively verifiable monetary losses in-*
14 *cluding but not limited to reasonable charges necessarily incurred for medical,*
15 *hospital, nursing and rehabilitative services and other health care services,*
16 *burial and memorial expenses, loss of income and past and future impairment*
17 *of earning capacity, reasonable and necessary expenses incurred for substitute*
18 *domestic services, recurring loss to an estate, damage to reputation that is*
19 *economically verifiable, reasonable and necessarily incurred costs due to loss*
20 *of use of property and reasonable costs incurred for repair or for replacement*
21 *of damaged property, whichever is less.]*

1 “[*b*] ‘Noneconomic damages’ means subjective, nonmonetary losses, includ-
2 ing but not limited to pain, mental suffering, emotional distress, humiliation,
3 injury to reputation, loss of care, comfort, companionship and society, loss of
4 consortium, inconvenience and interference with normal and usual activities
5 apart from gainful employment.]

6 “[~~(3)~~] **(2)** This section does not apply to punitive damages.

7 **“(3) The limitation on damages described in subsection (1) of this**
8 **section does not apply to an award of damages for a claim in which**
9 **the plaintiff proves by a preponderance of the evidence that the de-**
10 **fendant engaged in conduct constituting the elements of a crime under**
11 **state or federal law arising from the same facts as the claim.**

12 “(4) The jury shall not be advised of the limitation set forth in this sec-
13 tion.

14 **“SECTION 2. The amendments to ORS 31.710 by section 1 of this**
15 **2019 Act apply to causes of action arising on or after the effective date**
16 **of this 2019 Act.”.**

17 On page 7, delete lines 25 through 27.

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