

Senate Bill 75

Sponsored by Senator THATCHER (at the request of Representative Kevin Mannix) (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 **as introduced**.

Establishes civil action against surety for victim injured by felony defendant while on security release. Provides exception for surety that is immediate family member of defendant.

A BILL FOR AN ACT

1
2 Relating to security release.

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

4 **SECTION 1. (1) As used in this section:**

5 (a) **"Immediate family member" means a spouse, parent, sibling, child, grandparent,**
6 **grandchild, aunt or uncle.**

7 (b) **"Security release" has the meaning given that term in ORS 135.230.**

8 (c) **"Surety" has the meaning given that term in ORS 135.230.**

9 (d) **"Victim" has the meaning given that term in ORS 131.007.**

10 (2) **Irrespective of any criminal prosecution or the result thereof, a victim of a felony**
11 **committed by a defendant, while on security release in connection with a separate felony,**
12 **may bring a civil action for damages against the surety who secured the release of the de-**
13 **fendant.**

14 (3) **Subsection (2) of this section does not apply to a surety who is the immediate family**
15 **member of the defendant.**

16 (4) **The court shall award reasonable attorney fees to the prevailing plaintiff in an action**
17 **under this section.**

18 **SECTION 2. Section 1 of this 2023 Act applies to victims of felonies committed on or after**
19 **the effective date of this 2023 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.