



**OREGON STATE SENATE**

**FROM THE DESK OF SENATOR CEDRIC HAYDEN**

**FEBRUARY 12, 2026**

Thank you for your original sponsorship of SB 1563. Today the Senate Judiciary Committee via the Chair is going to take a run at a gut and stuff that completely destroys my intention and belief that Oregonians deserve a right to civil justice and guaranteed enforcement rights of the civil liberties that attach because they are residents of the state of Oregon. The -2 wipes out the entire intent of my bill, and therefore, I've removed my name from the measure. While there are a few pieces that would have made the SB 1563 in the original bill stronger (like not being allowed to bring the same cause of action in both state and federal court - two bites at the same apple - the rest of this is really now about dismantling immunity protections for public employees. The debate about qualified immunity might be a good one to have but not in a short session, not as a gut and stuff with no real public testimony or input, and not in a vehicle that was designed for an entirely different purpose where the bill's supporters have not been consulted by the committee. I only myself learned of this just today.

So, I thank you for your original support. I will leave it to each of you to choose your level of participation on the gut and stuff. I am flagging this also for my caucus members on the committee so you are aware of just how disheartened I am as a parent of a child with disabilities, as someone who believes in our religious freedom laws that the state constitution affords.....this is wrong.

If cities and counties and law enforcement thought the original SB 1563 had a fiscal, they haven't seen anything yet. Which leads me to the point that killing SB 1563 in its original form is not about the fiscal if the Chair is willing to drop a massive and expensive gut and stuff into the session in a year where we hear the legislature has no money for anything.

Sincerely,

Cedric



SB 1563 -2 changes

**1. Shifts the entire cause of action from *state constitutional rights* to *federal constitutional rights*.**

- Instead of allowing suits for deprivation of rights secured by the **Oregon Constitution**, the amended text provides that **a person injured by another who, under color of law, violates the *United States Constitution*** may bring a civil action.

**2. Removes virtually all state constitutional cause of action language.**

- The original language referring to Article I of the Oregon Constitution and rights under state law is replaced with language focused *exclusively on federal constitutional violations* — essentially importing a state-level federal civil rights remedy.

**3. Deletes the reference to “rights...secured by the Oregon Constitution.”**

- This is a major structural change: the amendment strikes the original state constitutional basis of the bill and replaces it with a federal constitutional basis.

**4. Adds immunity-limiting language.**

- The amendment declares that, to the maximum extent permissible under the U.S. Constitution, various immunities (sovereign, qualified, statutory, supremacy clause, etc.) *do not apply* to actions brought under this section. This is an extremely significant policy shift.

**5. Adds an explicit two-year statute of limitations.**

- The original bill did not specify a limitations period; the amendment requires actions to be commenced *within two years* of accrual.



**6. Adds a bar on duplicative actions against persons already subject to suit under 42 U.S.C. § 1983.**

- The amendment states that a person may *not* bring an action under the section against someone who is *already subject to suit under § 1983* (including law enforcement officers or agencies under ORS 181A.822). That effectively prevents parallel lawsuits for the same federal constitutional violation.

**7. Adds a declaration of emergency and immediate effective date.**

- The amendment inserts an emergency clause, making the act effective upon passage rather than the delayed effective date in the original.

**8. Retains attorney fee terms but with modified context.**

- The amendment continues to provide for:
  - *Reasonable attorney fees* and costs to a prevailing plaintiff.
  - Discretionary attorney fees for a prevailing defendant if the claim is frivolous. But all of that now relates to federal constitutional claims rather than Oregon constitutional claims.

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**Submitter:**

**Resident Resident**

**On Behalf Of:**

**Committee:**

**Senate Committee On Judiciary**

**Measure, Appointment or Topic:**

**SB1563**

**Lifelong Democrat and I support this bill**

Submitter: Michael Tiebout  
On Behalf Of:  
Committee: Senate Committee On Judiciary  
Measure, Appointment or Topic: SB1563

To: Chair Prozanski, Vice-Chair Thatcher, and Members of the Senate Committee on Judiciary From: Michael Tiebout, Junction City, OR Date: February 4, 2026 Re: Support for SB 1563 – Relating to Civil Rights and Government Accountability

Chair Prozanski, Vice-Chair Thatcher, and members of the committee,

My name is Michael Tiebout, and I am a resident of Junction City. I am writing today to express my strong support for SB 1563.

As someone who has spent over 20 years working in IT, I understand the importance of system integrity. When a system—whether it's a computer network or a legal framework—lacks a mechanism for accountability when things go wrong, the entire system loses trust. Currently, Oregonians face a "gap" where their state constitutional rights can be violated by those acting under color of law. Yet, there is often no direct path in state court to seek meaningful relief or damages.

SB 1563 fixes this by providing a clear, state-level cause of action for violations of our Article I rights. I support this bill for three primary reasons:

1. **Accountability:** Government officials and law enforcement must be held to the same high standards as the citizens they serve. This bill ensures that constitutional rights are not just theoretical "rules on paper" but are enforceable.
2. **Access to Justice:** By allowing for the recovery of attorney fees, this bill ensures that everyday Oregonians—not just the wealthy—can afford to defend their rights in court when they have been wronged.
3. **Efficiency:** Providing a clear path in state court may reduce the need to move these cases to the federal level, keeping Oregon's legal matters within our own judicial system.

Our rights are only as strong as our ability to defend them. SB 1563 is a common-sense step toward ensuring that "government by the people" remains a government accountable to the people.

I urge you to vote in favor of SB 1563. Thank you for your time and for your service to our state.

Sincerely,

**Submitter:** Michael Halverson

**On Behalf Of:**

**Committee:** Senate Committee On Judiciary

**Measure, Appointment or Topic:** SB1563

**Making sure that we all have protected and equal rights under the law is something that I wholeheartedly support**