

House Bill 4114

Sponsored by Representatives MUNOZ, GAMBA, Senator PROZANSKI, Representatives ANDERSEN, MCDONALD, WISE, Senator PHAM K; Representatives FRAGALA, NELSON (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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act sets rules for when federal agents or agents from another state carry out operations in this state. The Act also creates a cause of action when agents violate the rules. The Act goes into effect when the Governor signs it. (Flesch Readability Score: 69.7).

Creates a civil cause of action against federal law enforcement agents and law enforcement agents of another state in specified circumstances.

Requires federal law enforcement agents and law enforcement agents of another state to provide notice to the Department of Justice prior to conducting planned operations within this state.

Specifies identification requirements for federal law enforcement agents and law enforcement agents of another state conducting law enforcement operations within this state.

Prohibits a state or local law enforcement agency from coordinating with a federal law enforcement agency or a law enforcement agency of another state that does not provide notice as required, violates the identification requirements or targets a sensitive location without authorization.

Declares an emergency, effective on passage.

A BILL FOR AN ACT

Relating to law enforcement operations; and declaring an emergency.

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

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

(a) "Property" means:

(A) Buildings, structures, land and curtilage.

(B) Vehicles located on private property.

(C) A protected space.

(D) A vehicle in a location where the owner of the vehicle has a reasonable expectation of privacy.

(E) Any other place where a person has a reasonable expectation of privacy.

(b) "Protected space" means:

(A) A church, synagogue, temple, mosque, chapel, meeting house or other nonresidential place of worship.

(B) A school or other educational facility.

(C) A facility that provides medical treatment.

(2) An owner or occupant of property, or a person lawfully present on property with a reasonable expectation of privacy, may bring a cause of action against an individual federal law enforcement agent or an individual law enforcement agent from another state who enters the property without:

(a) A warrant for which the issuing authority is a court, if a judicially recognized exception to the warrant requirement does not apply; and

(b) Complying with section 3 of this 2026 Act.

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.

(3) A plaintiff who prevails in a cause of action under this section may recover:

(a) The greater of:

(A) Actual economic and noneconomic damages; or

(B) The sum of the following:

(i) \$15,000.

(ii) \$10,000, if the defendant failed to comply with section 3 of this 2026 Act.

(iii) \$15,000, if the defendant entered protected space.

(iv) \$25,000, if the defendant used excessive or unlawful force in entering the property.

(v) \$15,000, if the defendant entered the property between the hours of 10 p.m. and 6 a.m.

(vi) \$25,000, if the plaintiff is:

(I) Under 18 years of age;

(II) 65 years of age or older;

(III) A person with a mental or physical disability;

(IV) Pregnant; or

(V) A person with a serious medical condition requiring ongoing treatment.

(4) The court shall award reasonable attorney fees and costs to a plaintiff who prevails in a cause of action under this section.

SECTION 2. (1)(a) A federal law enforcement agency or a law enforcement agency of another state shall provide notice to the Department of Justice at least 48 hours prior to commencing any planned law enforcement operation within this state.

(b) Notwithstanding paragraph (a) of this subsection, a law enforcement agency may provide notice within 48 hours but no less than two hours prior to commencing a law enforcement operation in the event of an emergency.

(c) The purpose of the notification required by this subsection is to facilitate coordination among law enforcement agencies.

(2) When providing notice as required by subsection (1) of this section, a law enforcement agency shall provide the department with the following information:

(a) The name of the agency conducting the law enforcement operation;

(b) The name and contact information for the person in charge of the law enforcement operation;

(c) A description of the general nature of the law enforcement operation;

(d) The geographic location, at the city or county level, in which the law enforcement operation will take place;

(e) The expected duration of the law enforcement operation;

(f) The approximate number of law enforcement agents involved; and

(g) The types of facilities or other buildings, if any, that may be entered as part of the law enforcement operation.

(3)(a) Upon receiving a notification under this section, the department shall provide notice of the planned law enforcement operation to all state and local law enforcement agencies with jurisdiction over the location in which the operation will take place.

(b) The purpose of the notification required by this subsection is to facilitate verification of the legitimacy of the law enforcement operation and coordination among law enforcement agencies.

(4)(a) Any information provided as part of the notification described in subsection (1) of this section may only be made available to the public through a public records request under

1 **ORS 192.311 to 192.478.**

2 (b) A federal law enforcement agency or a law enforcement agency of another state may
3 request that the department assert that records pertaining to sensitive law enforcement
4 operations are exempt from public disclosure under ORS 192.345 (18) in response to a public
5 records request.

6 (5) The department may adopt rules to carry out the provisions of this section.

7 (6) As used in this section, "law enforcement operation" means any planned activity by
8 a federal law enforcement agency or a law enforcement agency of another state involving
9 entry onto property, vehicle searches, arrests or similar activity, but does not include a
10 routine response to an emergency call for service.

11 **SECTION 3.** (1) A federal law enforcement agent, or a law enforcement agent of another
12 state, conducting a law enforcement operation in this state shall provide upon request by a
13 member of the public or a state or local law enforcement agent:

14 (a) The agent's name and the agency for which the agent is performing official duties;

15 (b) The agent's badge or other identification number;

16 (c) The opportunity to review an official document showing the agent's credentials, in-
17 cluding a badge or identification card with a photograph; and

18 (d) The opportunity to review a copy of any warrant the agent claims to rely upon.

19 (2) A federal law enforcement agent, or a law enforcement agent of another state, con-
20 ducting law enforcement operations in this state shall wear on any clothing worn during the
21 operation the name of the law enforcement agency for which the agent is performing official
22 duties.

23 (3) Prior to entering any building while conducting a law enforcement operation, a federal
24 law enforcement agent or a law enforcement agent of another state conducting a law
25 enforcement operation in this state shall announce to all persons present the agency for
26 which the agent is performing official duties and, if the agent's uniform does not display the
27 agent's name, or upon request, the agent's name.

28 (4) As used in this section, "law enforcement operation" means any planned activity by
29 a federal law enforcement agency or a law enforcement agency of another state involving
30 entry onto property, vehicle searches, arrests or similar activity, but does not include a
31 routine response to an emergency call for service.

32 **SECTION 4.** (1) A state or local law enforcement agency in this state is prohibited from
33 coordinating with or providing any tactical or operational support to any federal law
34 enforcement agency or a law enforcement agency of another state conducting a law
35 enforcement operation within this state if the federal or out-of-state law enforcement
36 agency:

37 (a) Fails to provide notice to the Department of Justice as required by section 2 of this
38 2026 Act;

39 (b) Violates section 3 of this 2026 Act; or

40 (c) Targets a sensitive location as part of the operation without documented justification.

41 (2) Nothing in this section authorizes any person to engage in conduct prohibited by ORS
42 181A.820 and 181A.822 to 181A.829.

43 (3) As used in this section:

44 (a) "Documented justification" means:

45 (A) A warrant specifically naming the location that is the subject of the operation, or an

1 individual at the location;

2 (B) Written documentation of exigent circumstances, including but not limited to the
3 presence of an active threat, a person in immediate danger or pursuit of a suspect; or

4 (C) Written consent or recorded oral consent from the facility administrator or person
5 in charge of the location.

6 (b) "Law enforcement operation" has the meaning given that term in section 2 of this
7 2026 Act.

8 (c) "Sensitive location" means a religious institution, an educational facility, a health
9 care facility, a courthouse, a domestic violence shelter, a temporary residence shelter or a
10 senior living facility.

11 SECTION 5. Sections 2 and 4 of this 2026 Act become operative on the 91st day after the
12 date on which the 2026 regular session of the Eighty-third Legislative Assembly adjourns sine
13 die.

14 SECTION 6. This 2026 Act being necessary for the immediate preservation of the public
15 peace, health and safety, an emergency is declared to exist, and this 2026 Act takes effect
16 on its passage.
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