

House Bill 4138

Sponsored by Representatives CHAICHI, TRAN, Senator MANNING JR, Representatives ANDERSEN, CHOTZEN, JAVADI, MCLAIN, MUÑOZ, NELSON, NOSSE, WISE, Senators FREDERICK, PHAM K; Representatives FRAGALA, GAMBA, GOMBERG, GRAYBER, MCDONALD, RUIZ, Senators GELSER BLOUIN, GOLDEN, JAMA, NERON MISSLIN, PATTERSON, REYNOLDS (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 police ID rules and limits the actions of public employees when working with U.S. or out-of-state law enforcement. The Act also creates a cause of action when the rules are violated. The Act goes into effect when the Governor signs it. (Flesch Readability Score: 66.9).

Requires law enforcement agencies to enact policies concerning identifying information on law enforcement uniforms. Broadens the application of laws specifying identification requirements for law enforcement officers.

Requires law enforcement agencies to enact policies prohibiting the wearing of facial coverings by officers except in specified circumstances. Prohibits the wearing of facial coverings by law enforcement officers except in specified circumstances.

Creates the offense of misrepresentation by a law enforcement officer. Punishes by a maximum penalty of a \$2,000 fine.

Includes federal officers in the definition of "peace officer" for purposes of the crime of criminal impersonation of a peace officer.

Prohibits employees of public bodies in this state from participating in certain actions. Directs public bodies to enact policies prohibiting engagement in certain actions.

Specifies disclosure requirements for law enforcement agencies that enter into joint task forces or cross-deputization agreements with federal law enforcement agencies or law enforcement agencies of another state.

Provides that volunteers in a civil defense force are agents of a public body for purposes of the Oregon Tort Claims Act.

Allows a person harmed by violations of certain provisions to bring a civil cause of action. Allows a person to seek an injunction.

Declares an emergency, effective on passage.

A BILL FOR AN ACT

Relating to limitations on the actions of public employees; creating new provisions; amending ORS 162.367, 181A.700, 181A.702 and 399.035; and declaring an emergency.

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

LAW ENFORCEMENT IDENTIFIABILITY REQUIREMENTS

(Identification Requirements)

SECTION 1. (1) A law enforcement agency operating within this state shall maintain and publicly post a written policy on the visible identification of all sworn officers performing official duties for the agency.

(2) The policy must include, at a minimum, the following:

(a) A purpose statement affirming the agency's commitment to:

(A) Transparency, accountability and public trust; and

(B) Restricting situations in which sworn officers do not visibly display identification to specific, clearly defined and limited circumstances.

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.

1 (b) A requirement that all sworn officers visibly display identification that includes the
 2 officer's agency and either a name or badge number, or both name and badge number, in
 3 accordance with ORS 181A.702, when performing official duties.

4 (c) An exception for officers engaged in undercover duties as part of the regular per-
 5 formance of the officer's official duties.

6 (3) A member of the public, a law enforcement oversight body or a local governing au-
 7 thority may object to a policy adopted under this section, on the grounds that the policy does
 8 not conform with the requirements of this section, by submitting a written objection to the
 9 head of the law enforcement agency. The agency shall have 120 days to correct any defi-
 10 ciencies in the policy. If, after 120 days, the agency fails to adequately address the objection,
 11 the objecting party may bring a cause of action in a court of competent jurisdiction for a
 12 judicial determination of whether the policy conforms with the requirements of this section.

13 (4) Nothing in this section prohibits a law enforcement agency from adopting a policy
 14 that is more stringent than the requirements of this section, so long as the policy includes
 15 the exception described in subsection (2) of this section.

16 (5) As used in this section:

17 (a) "Law enforcement agency" includes:

18 (A) A law enforcement agency that employs a peace officer as defined in ORS 133.005.

19 (B) A federal law enforcement agency.

20 (C) A law enforcement agency of another state.

21 (b) "Visibly display identification" means to wear externally on the uniform in a size and
 22 location such as to be reasonably visible to a member of the public with whom the officer
 23 interacts.

24 SECTION 2. A law enforcement agency operating within this state shall adopt the policy
 25 described in section 1 of this 2026 Act no later than 120 days after the effective date of this
 26 2026 Act or 30 days before commencing operations within this state, whichever is later.

27 SECTION 3. ORS 181A.700 is amended to read:

28 181A.700. As used in ORS 181A.702 and 181A.704:

29 [(1) "Crowd management" means a public security practice in which large crowds of 50 persons
 30 or more are managed to prevent the outbreak of crowd crushes, affrays, fights or riots.]

31 [(2)] (1) "Law enforcement agency" [means] includes:

32 (a) The Oregon State Police, a county sheriff's office, a municipal police department or a police
 33 department established by a university under ORS 352.121 or 353.125.

34 (b) A federal law enforcement agency.

35 (c) A law enforcement agency of another state.

36 [(3)] (2) "Law enforcement officer" [means] includes:

37 (a) A member of the Oregon State Police, a sheriff or deputy sheriff, a municipal police officer
 38 or a police officer commissioned by a university under ORS 352.121 or 353.125.

39 (b) A federal officer as defined in ORS 133.005.

40 (c) A law enforcement officer of another state.

41 SECTION 4. ORS 181A.702 is amended to read:

42 181A.702. (1) A law enforcement officer who is on duty [*and assigned to work crowd management*
 43 *in a city with a population of over 60,000*] shall have:

44 (a) The officer's first initial and last name, or a unique identifier assigned by the officer's law
 45 enforcement agency, affixed to the front of the officer's uniform;

(b) The officer's first initial and last name, or a unique identifier assigned by the officer's law enforcement agency, affixed to the back of the officer's uniform;

(c) If wearing a tactical helmet and assigned a unique identifier by the officer's law enforcement agency, the unique identifier affixed to the back of the officer's helmet;

(d) The name of the jurisdiction of the officer's law enforcement agency and the word "POLICE," "SHERIFF" or "TROOPER" on the front and back of the officer's uniform; and

(e) A patch signifying the officer's law enforcement agency affixed to one shoulder.

(2) The information required under subsection (1) of this section shall be affixed in a manner that makes the letters and numbers clearly visible.

(3) A law enforcement agency shall adopt a policy prohibiting the intentional obscuring by a law enforcement officer of any of the information required under subsection (1) of this section.

(4) This section does not apply to [members of the Oregon State Police] an officer engaged in undercover duties as part of the regular performance of the officer's official duties.

NOTE: Section 6 was deleted. Subsequent sections were not renumbered.

(Facial Covering Prohibition)

SECTION 7. (1) A law enforcement agency operating within this state shall maintain and publicly post a written policy on the use of facial coverings by all sworn officers performing official duties for the agency.

(2) The policy must include, at a minimum, the following:

(a) A purpose statement affirming the agency's commitment to:

(A) Transparency, accountability and public trust;

(B) Restricting the use of facial coverings to specific, clearly defined and limited circumstances; and

(C) The principle that generalized and undifferentiated fear and apprehension about off-safety is not sufficient to justify the use of facial coverings.

(b) A requirement that all sworn officers performing official duties for the agency not wear a facial covering while performing official duties.

(c) A list of narrowly tailored exceptions from the facial covering prohibition for the following:

(A) An officer engaged in undercover duties in the regular performance of the officer's official duties.

(B) An officer assigned to a Special Weapons and Tactics (SWAT) team unit, while actively performing SWAT duties, if a facial covering is necessary to protect the officer's face from physical harm while performing such duties.

(3) A supervisor may not knowingly allow a law enforcement officer under the supervisor's supervision to violate state law or agency policy limiting the use of facial coverings.

(4) A member of the public, a law enforcement oversight body or a local governing authority may object to a policy adopted under this section, on the grounds that the policy does not conform with the requirements of this section, by submitting a written objection to the head of the law enforcement agency. The agency shall have 120 days to correct any defi-

1 ciencies in the policy. If, after 120 days, the agency fails to adequately address the objection,
2 the objecting party may bring a cause of action in a court of competent jurisdiction for a
3 judicial determination of whether the policy conforms with the requirements of this section.

4 (5) Nothing in this section prohibits a law enforcement agency from adopting a policy
5 that is more stringent than the requirements of this section, so long as the policy includes
6 the exceptions described in subsection (2) of this section.

7 (6) As used in this section:
8 (a) "Facial covering" has the meaning given that term in section 8 of this 2026 Act.
9 (b) "Law enforcement agency" includes:
10 (A) Any law enforcement agency that employs a peace officer as defined in ORS 133.005.
11 (B) Any federal law enforcement agency.
12 (C) Any law enforcement agency of another state.

13 **SECTION 8.** (1) A law enforcement officer may not wear a facial covering that conceals
14 or obscures the officer's facial identity while performing official duties except as expressly
15 authorized by this section.

16 (2) This section does not apply to:
17 (a) An officer engaged in undercover duties in the regular performance of the officer's
18 official duties.
19 (b) An officer assigned to a Special Weapons and Tactics (SWAT) team unit, while ac-
20 tively performing SWAT duties, if a facial covering is necessary to protect the officer's face
21 from physical harm while performing such duties.

22 (3) As used in this section:
23 (a) "Facial covering" means any opaque mask, garment, helmet, headgear, balaclava,
24 tactical mask, gaiter, ski mask or other item that conceals or obscures the facial identity
25 of an individual.

26 (b) "Facial covering" does not include:
27 (A) A N95 medical mask or surgical mask worn to protect against the transmission of
28 disease or infection, or any other mask, helmet or device, including but not limited to air
29 purifying respirators, full or half masks or self-contained breathing apparatuses, necessary
30 to protect against exposure to any toxin, gas, smoke or extreme or severely inclement
31 weather.

32 (B) A mask, helmet or device, including but not limited to a self-contained underwater
33 breathing apparatus, for use under water.

34 (C) A motorcycle or bicycle helmet when worn by an officer utilizing a motorcycle, bicy-
35 cle or other vehicle that requires a helmet for safe operation while in the performance of the
36 officer's duties.

37 (D) A fire helmet when worn during an arson investigation.
38 (E) Eyewear necessary to protect the eyes from physical objects or the use of retinal
39 weapons, including but not limited to lasers.

40 **SECTION 9.** (1) A law enforcement agency operating within this state shall adopt the
41 policy described in section 7 of this 2026 Act no later than 120 days after the effective date
42 of this 2026 Act.

43 (2) Section 8 of this 2026 Act becomes operative 120 days after the effective date of this
44 2026 Act.

(Enforcement Offenses)

SECTION 10. (1) A person commits the offense of misrepresentation by a law enforcement officer if the person is a law enforcement officer and knowingly:

(a) Misrepresents the law enforcement agency for which the officer is performing official duties;

(b) Refuses to identify the law enforcement agency for which the officer is performing official duties; or

(c) Engages in conduct that obscures or conceals the identity of the law enforcement agency for which the officer is performing official duties.

(2) Misrepresentation by a law enforcement officer is a Class A violation.

(3) As used in this section, "law enforcement officer" includes:

(a) A peace officer as defined in ORS 133.005.

(b) A federal officer as defined in ORS 133.005.

(c) A law enforcement officer of another state.

SECTION 11. ORS 162.367 is amended to read:

162.367. (1) A person commits the crime of crim

, with the intent to obtain a benefit or to injure

forcement identification or wears a law enforcement

son is a peace officer and does an act in that assumed character.

(2) Criminal impersonation of a peace officer is a Class C felony

(3) As used in this section:

(a) "False law enforcement identification" means a badge or an identification card that:

(A) Identifies the possessor of the badge or card as a member of a law enforcement unit; and

(B) Was not lawfully issued to the possessor by the law enforcement unit.

(b) "Law enforcement uniform" means clothing bearing words such as "police," "sheriff," "state trooper" or "law enforcement," or clothing that is an official uniform or substantially similar to an official uniform of a law enforcement unit that would make it reasonably likely that a person would believe that the wearer is a peace officer.

(c) "Peace officer" means a peace officer or a federal officer, as those terms are defined in ORS 133.005.

ASSISTANCE WITH FEDERAL OR OUT-OF-STATE LAW ENFORCEMENT OPERATIONS

SECTION 12. (1) An employee of a public body within this state is prohibited from voluntarily assisting a federal law enforcement agency or a law enforcement agency of another state in investigating, apprehending or arresting individuals:

(a) On the basis of an individual's conduct protected by Article I, section 8 or 26, of the Oregon Constitution, or the First Amendment to the United States Constitution;

(b) On the basis of an individual's membership in a class protected by the Oregon or United States Constitution or other state or federal law; or

(c) In connection with an unlawful search or seizure or other surveillance activity conducted in violation of Article I, section 9, of the Oregon Constitution, or the Fourth Amendment to the United States Constitution.

(2) For purposes of this section, "public body" includes an institution of higher education, including a public university listed in ORS 352.002, a community college operated under ORS chapter 341 or the Oregon Health and Science University.

SECTION 13. (1) All public bodies within this state shall establish policies prohibiting any person acting in the person's capacity as an employee or agent of the public body from assisting or cooperating with, or allowing any time, money, facilities, property, equipment, personnel or other resources to be used to assist, cooperate with or facilitate, any operation executed in whole or in part by a federal law enforcement agency or a law enforcement agency of another state if the operation is intended to:

(a) Identify, or impose civil or criminal liability upon, any individual, group, association, organization, corporation, business or partnership based on participation in activities protected by Article I, section 8 or 26, of the Oregon Constitution, or the First Amendment to the United States Constitution;

(b) Identify, or impose civil or criminal liability upon, any individual, group, association, organization, corporation, business or partnership based on membership in, or support of persons who are members of, a class of persons protected under the Oregon or United States Constitution or other state or federal law, including classes based on race, color, religion, sex, sexual orientation, gender identity, national origin, marital status, disability or age; or

(c) Identify, or impose civil or criminal liability upon, any individual, group, association, organization, corporation, business or partnership based on political, religious or social views, associations or activities.

(2) For purposes of this section, "public body" includes an institution of higher education, including a public university listed in ORS 352.002, a community college operated under ORS chapter 341 or the Oregon Health and Science University.

SECTION 14. All public bodies within this state shall adopt a policy described in section 13 of this 2026 Act no later than 120 days after the effective date of this 2026 Act.

SECTION 14a. Notwithstanding sections 12 and 13 of this 2026 Act, a public body, or an employee or agent of a public body, may upon request provide assistance or cooperate with, or allow time, money, facilities, property, equipment, personnel or other resources to be used to assist, cooperate with or facilitate, an operation executed in whole or in part by a federal law enforcement agency or a law enforcement agency of another state if the requesting federal or out-of-state law enforcement agency includes in the request an attestation, made under penalty of perjury, stating that the request does not relate to an operation described in section 12 or 13 of this 2026 Act.

JOINT TASK FORCES AND DEPUTIZATIONS

SECTION 15. (1) A public body that participates in a joint task force with a federal law enforcement agency or a law enforcement agency of another state, or that enters into an agreement with a federal law enforcement agency or a law enforcement agency of another state for the cross-deputization of officers, shall:

(a) Require as part of the terms of any agreement or memorandum of understanding concerning the task force or cross-deputization that the public body, and any person employed by the public body, not engage in surveillance or investigations based on activities protected by Article I, section 8, of the Oregon Constitution, or the First Amendment to the

1 **United States Constitution, or membership in a class protected by the Oregon or United**
2 **States Constitution or other state or federal law.**

3 (b) **Require as part of the terms of any agreement or memorandum of understanding**
4 **concerning the task force or cross-deputization that the public body, and any officer em-**
5 **ployed by the public body, comply with ORS 181A.250.**

6 (c) **Prohibit in the terms of any agreement or memorandum of understanding concerning**
7 **the task force or cross-deputization the development or use of confidential informants to**
8 **conduct investigations of activity protected by the Article I, section 8, of the Oregon Con-**
9 **stitution, or the First Amendment to the United States Constitution, or membership in a**
10 **class protected by the Oregon or United States Constitution or other state or federal law.**

11 (2) **A public body within this state, or any person employed by the public body, may not**
12 **enter into an agreement with a federal law enforcement agency or a law enforcement agency**
13 **of another state, or seek to enter such an agreement, involving the sharing of information**
14 **for, provision of assistance in or participation in surveillance, investigations, prosecution or**
15 **immigration enforcement operations, including surveillance, investigations, prosecution or**
16 **operations through or for a joint federal-state operation such as a Department of Homeland**
17 **Security Task Force, Fusion Center or Joint Terrorism Task Force, if the public body or**
18 **person has reason to believe the agreement would result in:**

19 (a) **Requests made by a federal law enforcement agency or a law enforcement agency of**
20 **another state to engage in conduct constituting a violation of individual liberties or rights**
21 **guaranteed by the Oregon or United States Constitution, including but not limited to conduct**
22 **constituting racial profiling, unlawful surveillance or investigation, excessive use of force or**
23 **unlawful detention;**

24 (b) **Requests made by a federal law enforcement agency or a law enforcement agency of**
25 **another state:**

26 (A) **Seeking to identify, apprehend, arrest or impose civil or criminal liability or other**
27 **penalties upon a person or entity for:**

28 (i) **Engaging in activities protected by Article I, section 8, of the Oregon Constitution,**
29 **or the First Amendment to the United States Constitution;**

30 (ii) **The provision of humanitarian assistance, legal assistance or other aid to benefit an**
31 **individual, if the provision would have been lawful had it occurred within this state; or**

32 (iii) **Offenses related to immigration status, including but not limited to violations of 8**
33 **U.S.C. 1253, 1301 et seq., 1304(e), 1306(a) or (b), 1324, 1325 or 1326, or 18 U.S.C. 1028A or 1546;**
34 **or**

35 (B) **Subjecting a person to civil immigration detention, removal or deportation pro-**
36 **ceedings;**

37 (c) **Requests made by a federal law enforcement agency or a law enforcement agency of**
38 **another state to obtain data from an Oregon public body or conduct surveillance or investi-**
39 **gation in furtherance of the objectives of National Security Presidential Memorandum 7**
40 **(NSPM-7), dated September 25, 2025, including surveillance or investigation pursuant to a**
41 **Joint Terrorism Task Force request or agreement made in furtherance of the objectives of**
42 **National Security Presidential Memorandum 7 (NSPM-7); or**

43 (d) **Any other violation of the Oregon Constitution or state law, including but not limited**
44 **to a violation of ORS 181A.250, 181A.820 or 181A.822 to 181A.829.**

45 (3) **A state or local law enforcement officer who is deputized as a federal agent may not**

1 exercise federal law enforcement authority in a manner that causes the law enforcement
2 officer to be in violation of Oregon law.

3 (4) A memorandum of understanding, cross-deputization agreement or policy of a public
4 body may not immunize a cross-deputized law enforcement officer employed by the public
5 body from violations of state or local law.

6 **SECTION 16.** Section 15 of this 2026 Act applies to agreements or memoranda of under-
7 standing entered into or renewed on or after the effective date of this 2026 Act.

8 **SECTION 17.** (1)(a) All state and local law enforcement agencies within this state shall
9 regularly release, on a publicly accessible website, all agreements or memoranda of under-
10 standing concerning membership by the agency, or any officer employed by the agency, on
11 a task force with a federal law enforcement agency or a law enforcement agency of another
12 state, or the entry into a cross-deputization agreement with a federal law enforcement
13 agency or a law enforcement agency of another state.

14 (b) A state or local law enforcement agency within this state shall release on the website
15 any new agreements or memoranda of understanding concerning joint task force member-
16 ships or cross-deputization agreements entered into by the agency, or any officer employed
17 by the agency, with a federal law enforcement agency or a law enforcement agency of an-
18 other state, within 14 days of the effective date of the agreement or memorandum.

19 (2) A law enforcement agency may decline to release on the website specific information
20 concerning a task force or cross-deputization agreement if public disclosure would endanger
21 the life or physical safety of any individual. The agency shall note on the website the fact
22 that the agency has not disclosed specific information under this subsection and the justi-
23 fication for the nondisclosure.

24 (3) As used in this section, "law enforcement agency" means an entity that employs a
25 peace officer as defined in ORS 133.005.

26 **SECTION 18.** A state or local law enforcement agency shall release on a publicly acces-
27 sible website, within 120 days after the effective date of this 2026 Act, all agreements and
28 memoranda of understanding described in section 17 (1) of this 2026 Act that are in effect
29 on the effective date of this 2026 Act.

30

31 STATUS OF VOLUNTEERS IN CIVIL DEFENSE FORCE

32

33 **SECTION 19.** ORS 399.035 is amended to read:

34 399.035. (1) In addition to the federally recognized Oregon National Guard subject to call or
35 order to federal service under laws of the United States, there shall be organized within the state
36 a National Guard Reserve force. Such force shall be known as the Oregon Civil Defense Force, and
37 shall be composed principally of officers, warrant officers and enlisted persons not eligible for gen-
38 eral service under federal selective service laws.

39 (2) In time of peace the Oregon Civil Defense Force shall be maintained at cadre strength in
40 numbers to be determined by the Governor.

41 (3) In time of peace the mission of the Oregon Civil Defense Force shall be to augment the
42 Oregon National Guard as an internal security force. In time of war, it shall replace the Oregon
43 National Guard as a force when the National Guard is ordered into federal service.

44 (4) Whenever laws of the United States authorize the organization of such forces under federal
45 recognition, the Governor shall promulgate such regulations as are necessary to comply with such

1 federal laws and obtain federal recognition for the force authorized by this section.

2 (5) Notwithstanding subsections (1) to (4) of this section:

3 (a) The Superintendent of State Police may form a volunteer Oregon State Police Civil Defense
4 Force for the purpose of providing emergency response and communications, medical assistance, lo-
5 gistical support and other aid authorized by the superintendent. The superintendent, in collaboration
6 with the Adjutant General, may assign delegate members of the Oregon State Police Civil Defense
7 Force to command centers throughout this state.

8 (b) The sheriff of a county in this state may form a volunteer County Civil Defense Force for
9 the purpose of providing emergency response and communications, medical assistance, logistical
10 support and other aid authorized by the sheriff.

11 (6) Volunteers in the Oregon State Police Civil Defense Force or a County Civil Defense Force
12 must possess and demonstrate experience or training in the military, law enforcement, communi-
13 cations, rescue operations or logistical support.

14 (7)(a) Volunteers in the Oregon State Police Civil Defense Force or a County Civil Defense
15 Force are not, by virtue of volunteering in the force, considered:

16 (A) Members of the Oregon Civil Defense Force;

17 (B) Employees or volunteers of the state; **or**

18 (C) In "state service," as that term is defined in ORS 240.015[; *or*].

19 [(D) *Agents of a public body under ORS 30.260 to 30.300 (Oregon Tort Claims Act) for the purpose*
20 *of acts and omissions of the volunteer that are within the course and scope of the volunteer's duties.*]

21 (b) **Volunteers in the Oregon State Police Civil Defense Force or a County Civil Defense**
22 **Force are agents of a public body under ORS 30.260 to 30.300 for the purpose of acts and**
23 **omissions of the volunteer that are within the course and scope of the volunteer's duties.**

24 [(b)] (c) Unless entitled to compensation, reimbursement, benefits or coverage under any other
25 provision of law, volunteers in the Oregon State Police Civil Defense Force or a County Civil De-
26 fense Force are not entitled to compensation, reimbursement for expenses, workers' compensation
27 or other insurance coverage, public employment benefits or entitlements from the Oregon Military
28 Department, the Oregon Department of Emergency Management or any other state or local agency
29 or government.

30

31 CAUSES OF ACTION

32 **SECTION 20.** (1) Any person harmed by a violation of ORS 162.367 or 181A.702 or section
33 1, 7, 8, 10, 12, 13 or 15 of this 2026 Act may bring a civil action against the individual who
34 committed the violation.

35 (2) A plaintiff who prevails in an action under this section may recover:

36 (a) Economic and noneconomic damages.

37 (b) Punitive damages.

38 (3) The court shall award reasonable attorney fees and costs to a prevailing plaintiff in
39 an action under this section.

40 (4) A defendant in an action under this section may not assert any privilege or immunity,
41 including any immunity provided under ORS 30.265, for the defendant's tortious conduct
42 against a claim of civil liability under this section.

43 (5) Except as provided in subsection (4) of this section, a claim under this section against
44 a public body or an officer, employee or agent of a public body acting within the scope of

1 **employment is subject to ORS 30.260 to 30.300.**

2 **SECTION 21. (1) Any person may seek an injunction against an individual or a public**
3 **body to restrain a threatened or actual violation of ORS 162.367 or 181A.702 or section 1, 2,**
4 **7, 8, 9, 10, 12, 13, 14, 15, 17 or 18 of this 2026 Act.**

5 **(2) A defendant in an action under this section may not assert any privilege or immunity,**
6 **including any immunity provided under ORS 30.265.**

7 **(3) The court shall award reasonable attorney fees and costs to a prevailing plaintiff in**
8 **an action under this section.**

9

10 **CAPTIONS**

11

12 **SECTION 22. The unit captions used in this 2026 Act are provided only for the conven-**
13 **ience of the reader and do not become part of the statutory law of this state or express any**
14 **legislative intent in the enactment of this 2026 Act.**

15

16 **EMERGENCY CLAUSE**

17

18 **SECTION 23. This 2026 Act being necessary for the immediate preservation of the public**
19 **peace, health and safety, an emergency is declared to exist, and this 2026 Act takes effect**
20 **on its passage.**

21