

HB 4114-1
(LC 227)
2/3/26 (MNJ/ps)

Requested by Representative MUNOZ

**PROPOSED AMENDMENTS TO
HOUSE BILL 4114**

1 On page 1 of the printed bill, delete lines 4 through 23 and delete pages
2 2 through 4 and insert:

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

4 **“(a) ‘Property’ means:**

5 **“(A) Buildings, structures, land and curtilage;**

6 **“(B) Vehicles located on private property;**

7 **“(C) A protected space;**

8 **“(D) Any place where a person has a reasonable expectation of pri-
9 vacy; or**

10 **“(E) A vehicle in a location where the owner of the vehicle has a
11 reasonable expectation of privacy.**

12 **“(b) ‘Protected space’ means:**

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

15 **“(B) A school or other educational facility.**

16 **“(C) A facility that provides medical treatment.**

17 **“(2) An owner or occupant of property, or a person lawfully present
18 on property with a reasonable expectation of privacy, may bring a
19 cause of action against an individual who under color of law enters the
20 property without a warrant for which the issuing authority is a court,
21 if a judicially recognized exception to the warrant requirement does**

1 **not apply.**

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

4 **“(a) The greater of:**

5 **“(A) Actual economic and noneconomic damages; or**

6 **“(B) The sum of the following:**

7 **“(i) \$15,000.**

8 **“(ii) \$15,000, if the defendant entered protected space.**

9 **“(iii) \$25,000, if the defendant used excessive or unlawful force in**
10 **entering the property.**

11 **“(iv) \$15,000, if the defendant entered the property between the**
12 **hours of 10 p.m. and 6 a.m.**

13 **“(v) \$25,000, if the plaintiff is:**

14 **“(I) Under 18 years of age;**

15 **“(II) 65 years of age or older;**

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

17 **“(IV) Pregnant; or**

18 **“(V) A person with a serious medical condition requiring ongoing**
19 **treatment.**

20 **“(b) Equitable relief and any other appropriate relief.**

21 **“(4)(a) In an action brought under this section, the court shall**
22 **award reasonable attorney fees and costs to a prevailing plaintiff. In**
23 **an action for injunctive relief under this section, the court shall deem**
24 **a plaintiff to have prevailed if the plaintiff's suit was a substantial**
25 **factor or significant catalyst in obtaining the results sought by the**
26 **litigation.**

27 **“(b) The court may award reasonable attorney fees and costs to a**
28 **defendant in an action under this section for defending any claims the**
29 **court finds frivolous.**

30 **“(5) A person may not bring an action under this section against a**

1 person subject to suit for the injury under 42 U.S.C. 1983, including
2 but not limited to a law enforcement agency or an officer, as those
3 terms are defined in ORS 181A.822.

4 **“(6) An action under this section must be commenced within two
5 years after the cause of action accrues.**

6 **“SECTION 2. This 2026 Act being necessary for the immediate
7 preservation of the public peace, health and safety, an emergency is
8 declared to exist, and this 2026 Act takes effect on its passage.”.**

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