



# PRESS RELEASE

## OREGON HOUSE DEMOCRATS

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### **House Advances Bill to Protect Jury-Awarded Damages for Victims**

*Legislation eliminates cap on non-economic damages except in cases of wrongful death*

SALEM – The Oregon House of Representatives voted today to advance legislation that would lift the current \$500,000 cap on non-economic damages for victims of negligence. [House Bill 2014](#) would restore fairness to the system and allow victims to recover the damages a jury has determined are owed.

“The civil justice system is designed to make victims whole and compensate them for the negligence of others. House Bill 2014 helps make this intent a reality,” said chief sponsor Rep. Carla Piluso (D-Gresham). “This bill is about the right to a jury award when the injury, or pain, or other cause for remedy is so great that arbitrary caps do not adequately make someone whole. I believe this bill is about protecting survivors.”

The Oregon Legislature instituted a \$500,000 cap in 1987, which was struck down by the Oregon Supreme Court in 1999. In 2016, the Supreme Court reversed course in *Horton v. OHSU*, reinstating the caps.

Rep. Janelle Bynum (D-Happy Valley) said this legislation is about ensuring that people have the right to pursue civil recourse, should they so choose.

“We ask citizens in our community to serve as jurors,” Rep. Bynum said. “By and large, they take that responsibility seriously. They listen to the facts and to the arguments from both sides. Then, they render a decision. Under the current system, the judge thanks them for their time, and if the jury has determined that compensation in excess of \$500,000 is due, then the judge overrules them. In my opinion, that makes no sense.”

During the committee hearing on the legislation, victims of sexual assault and workplace harassment spoke to their experiences and ultimately their inability to seek civil compensation that adequately makes them whole.

“I believe, when these benefits are capped, we say to those who have experienced trauma, physical and emotional, that while their experiences may be valid, they do not deserve to be fairly compensated for it,” said Rep. Jennifer Williamson (D-Portland). “A return to the status quo, in this case, is a great step because it lifts the cap on justice and fairness.”

Joining Rep. Piluso as a sponsor of the legislation are Rep. Teresa Alonso Leon (D-Woodburn), Rep. Jeff Barker (D-Aloha), Rep. Paul Evans (D-Monmouth), Rep. Mitch Greenlick (D-Portland), Rep. Ken Helm (D-Beaverton), Rep. Diego Hernandez, Rep. Paul Holvey (D-Eugene), Rep. Alissa Keny-Guyer (D-Portland), Rep. Tina Kotek (D-Portland), Rep. Susan McLain (D-Forest Grove), Rep. Mike McLane (R-Powell Butte), Rep. Mark Meek (D-Oregon City), Rep. Tiffany Mitchell (D-Astoria), Rep. Rob Nosse (D-Portland), Rep. Karin Power (D-Milwaukie), Rep. Rachel Prusak (D-West Linn), Rep. Andrea Salinas (D-Lake Oswego), Rep. Tawna Sanchez (D-Portland), Rep. Sheri Schouten (D-Beaverton), Rep. Barbara Smith Warner (D-Portland), Rep. Janeen Sollman (D-Hillsboro), Rep. Anna Williams (D-Hood River), Rep. Williamson, and Rep. Brad Witt (D-Clatskanie).

This legislation continues the commitment of Oregon House Democrats to ensure that every Oregonian is afforded the same fundamental rights, regardless of their race, religion, gender expression, age, or sexual orientation, and to making sure our justice system is fair for all.

The legislation, which passed the House 36 to 22, goes to the Oregon Senate for consideration.

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