

## SENATE AMENDMENTS TO SENATE BILL 409

By COMMITTEE ON JUDICIARY

April 24

1 On page 1 of the printed bill, line 2, after “provisions;” delete the rest of the line and delete line  
2 3 and insert “and amending ORS 30.298, 30.650, 31.360, 31.705, 31.710, 31.715, 124.100, 137.103, 260.532  
3 and 742.544.”.

4 Delete line 5 and insert:

5 “**SECTION 1.** ORS 31.710 is amended to read:

6 “31.710. (1) Except for claims subject to ORS 30.260 to 30.300 and ORS chapter 656, in any civil  
7 action seeking damages arising out of bodily injury, including emotional injury or distress, death or  
8 property damage of any one person including claims for loss of care, comfort, companionship and  
9 society and loss of consortium, the amount awarded for noneconomic damages shall not exceed  
10 ~~[\$500,000]~~ **\$1,500,000.**

11 “[~~(2)~~ *As used in this section:*]

12 “[~~(a)~~ *‘Economic damages’ means objectively verifiable monetary losses including but not limited to*  
13 *reasonable charges necessarily incurred for medical, hospital, nursing and rehabilitative services and*  
14 *other health care services, burial and memorial expenses, loss of income and past and future impair-*  
15 *ment of earning capacity, reasonable and necessary expenses incurred for substitute domestic services,*  
16 *recurring loss to an estate, damage to reputation that is economically verifiable, reasonable and neces-*  
17 *sarily incurred costs due to loss of use of property and reasonable costs incurred for repair or for re-*  
18 *placement of damaged property, whichever is less.*]

19 “[~~(b)~~ *‘Noneconomic damages’ means subjective, nonmonetary losses, including but not limited to*  
20 *pain, mental suffering, emotional distress, humiliation, injury to reputation, loss of care, comfort,*  
21 *companionship and society, loss of consortium, inconvenience and interference with normal and usual*  
22 *activities apart from gainful employment.*]

23 “[~~(3)~~] **(2)** This section does not apply to punitive damages.

24 “[~~(4)~~] **(3)** The jury shall not be advised of the limitation set forth in this section.

25 “**SECTION 2. The amendments to ORS 31.710 by section 1 of this 2015 Act apply to causes**  
26 **of action that arise on or after the effective date of this 2015 Act.”.**

27 In line 6, delete “2” and insert “3”.

28 Delete lines 22 through 31.

29 On page 2, delete lines 1 through 15.

30 On page 7, delete lines 28 through 32.

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