

B-Engrossed
House Bill 3216

Ordered by the Senate May 28
Including House Amendments dated April 17 and Senate Amendments
dated May 28

Sponsored by Representative BYNUM, Senators MANNING JR, FREDERICK; Representatives ALONSO LEON, CLEM, GORSEK, HERNANDEZ, KENY-GUYER, LIVELY, MCLAIN, MEEK, NERON, NOSSE, PILUSO, POWER, SANCHEZ, SOLLMAN, Senators DEMBROW, FAGAN, GELSER, MONNES ANDERSON

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.

Creates civil cause of action against person who knowingly summons police officer [*for reason other than suspected criminal activity*] with intent to cause specified harm.

A BILL FOR AN ACT

Relating to unlawfully summoning a police officer.

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

SECTION 1. (1) A person may bring a civil action for damages against any person who knowingly causes a police officer to arrive at a location to contact another person with the intent to:

(a) Infringe on the other person's rights under the Oregon or United States Constitutions;

(b) Unlawfully discriminate against the other person;

(c) Cause the other person to feel harassed, humiliated or embarrassed;

(d) Cause the other person to be expelled from a place in which the other person is lawfully located; or

(e) Damage the other person's:

(A) Reputation or standing within the community; or

(B) Financial, economic, consumer or business prospects or interests.

(2) Upon prevailing in an action under this section, the plaintiff may recover:

(a) The greater of:

(A) Special and general damages, including damages for emotional distress; or

(B) Statutory damages of \$250 against each defendant found liable under this section; and

(b) Punitive damages.

(3) The court may award reasonable attorney fees to the prevailing plaintiff in an action under this section.

(4) A civil action under this section:

(a) May be brought in the small claims department of a circuit court if the total damages do not exceed the jurisdictional limit of the small claims department.

(b) Does not affect a right or remedy available under any other law of this state.

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.

