

HB 2393-1
(LC 643)
3/11/19 (JLM/ps)

Requested by HOUSE COMMITTEE ON JUDICIARY (at the request of the Department of Justice
and the Oregon Criminal Defense Lawyers Association)

**PROPOSED AMENDMENTS TO
HOUSE BILL 2393**

1 On page 1 of the printed bill, line 3, after “163.472” delete the rest of the
2 line and insert “, 166.065 and 659A.270.”.

3 On page 2, line 23, after “\$5,000” insert “per plaintiff”.

4 In line 29, after “(4)” insert “An emancipated minor, or” and before
5 “shall” insert a comma.

6 After line 33, insert:

7 “(6) An award of statutory damages described in subsection (2) of this
8 section is not evidence of the existence or the amount of economic damages
9 for purposes of restitution under ORS 137.106.”.

10 On page 4, after line 1, insert:

11 **“SECTION 4.** ORS 659A.270 is amended to read:

12 “659A.270. As used in ORS 659A.270 to 659A.285:

13 “(1) ‘Covered employer’ means an employer who employs six or more in-
14 dividuals in the State of Oregon for each working day during each of 20 or
15 more calendar workweeks in the year in which an eligible employee takes
16 leave to address domestic violence, harassment, sexual assault or stalking,
17 or in the year immediately preceding the year in which an eligible employee
18 takes leave to address domestic violence, harassment, sexual assault or
19 stalking.

20 “(2) ‘Eligible employee’ means an employee who is a victim of domestic
21 violence, harassment, sexual assault or stalking or is the parent or guardian

1 of a minor child or dependent who is a victim of domestic violence,
2 harassment, sexual assault or stalking.

3 “(3) ‘Protective order’ means an order authorized by ORS 30.866, 107.095
4 (1)(c), 107.700 to 107.735, 124.005 to 124.040, 163.730 to 163.750 or 163.760 to
5 163.777 or any other order that restrains an individual from contact with an
6 eligible employee or the employee’s minor child or dependent.

7 “(4) ‘Victim of domestic violence’ means:

8 “(a) An individual who has been a victim of abuse, as defined in ORS
9 107.705; or

10 “(b) Any other individual designated as a victim of domestic violence by
11 rule adopted under ORS 659A.805.

12 “(5) ‘Victim of harassment’ means:

13 “(a) An individual against whom harassment has been committed as de-
14 scribed in ORS 166.065.

15 “(b) Any other individual designated as a victim of harassment by rule
16 adopted under ORS 659A.805.

17 “(6) ‘Victim of sexual assault’ means:

18 “(a) An individual against whom a sexual offense has been committed as
19 described in ORS 163.305 to 163.467, **163.472** or 163.525; or

20 “(b) Any other individual designated as a victim of sexual assault by rule
21 adopted under ORS 659A.805.

22 “(7) ‘Victim of stalking’ means:

23 “(a) An individual against whom stalking has been committed as de-
24 scribed in ORS 163.732;

25 “(b) An individual designated as a victim of stalking by rule adopted un-
26 der ORS 659A.805; or

27 “(c) An individual who has obtained a court’s stalking protective order
28 or a temporary court’s stalking protective order under ORS 30.866.

29 “(8) ‘Victim services provider’ means a prosecutor-based victim assistance
30 program or a nonprofit program offering safety planning, counseling, support

1 or advocacy related to domestic violence, harassment, sexual assault or
2 stalking.”.

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