

SB 193 A STAFF MEASURE SUMMARY

Carrier: Sen. Thatcher

**Senate Committee On Judiciary and Ballot Measure 110
Implementation**

Minority Report

Action Date: 04/13/21

Action: Do pass with different amendments. (Printed A-Eng.) Minority

Fiscal: Fiscal impact issued

Revenue: No revenue impact

Report Signers: Sen. Kim Thatcher, Sen. Dennis Linthicum

Prepared By: Channa Newell, Counsel

Meeting Dates: 4/6, 4/13

WHAT THE MEASURE DOES:

Makes statutory modifications based on recent U.S. Supreme Court decision. Requires guilty verdict must be by unanimous agreement and not guilty verdict by concurrence of at least 10 of 12 jurors. Establishes Task Force on Noneconomic Damages. Directs Task Force to study appropriate limitation on noneconomic damages claims in civil actions and the basis to endure that the limitation does not violate Article I, Section 10 of the Oregon Constitution. Specifies membership. Requires Task Force issue report, and allows recommendations for legislation, to the appropriate committee or interim committee of the Legislative Assembly no later than September 15, 2023.

ISSUES DISCUSSED:

- Unanimous jury guilty verdict addressed in *Ramos v Louisiana*, 140 S. Ct. 1390 (2020)
- Not guilty verdict needs 10 of 12 jurors
- Provisions of measure are not retroactive

EFFECT OF AMENDMENT:

Replaces the measure.

BACKGROUND:

In 2020, the Supreme Court of the United States in *Ramos v Louisiana*, 140 S. Ct. 1390 (2020) found that guilty verdicts in criminal cases must be a unanimous jury verdict.

Senate Bill 193 MRA specifies that a guilty verdict in criminal cases must be by unanimous vote and not guilt verdicts must be by concurrence of at least 10 of 12 jurors. The measure also creates a Task Force on Noneconomic Damages to study the appropriate limitation on noneconomic damages claims in civil actions and the basis to endure that the limitation does not violate Article I, Section 10 of the Oregon Constitution. The measure requires the Task Force on Noneconomic Damages to issue its report no later than September 15, 2023.