

HOUSE AMENDMENTS TO HOUSE BILL 2519

By COMMITTEE ON JUDICIARY

April 6

- 1 On page 1 of the printed bill, line 2, delete “creating new provisions; amending ORS 692.375;”.
- 2 In line 6, after “not” insert “knowingly”.
- 3 Delete lines 20 through 30 and delete page 2 and insert:
- 4 **“SECTION 3. (1) The estate of a decedent whose remains are displayed in violation of**
- 5 **section 2 of this 2023 Act may bring a civil action for injunctive relief, damages or other**
- 6 **appropriate relief against any person whose conduct in connection with the display is un-**
- 7 **lawful under section 2 of this 2023 Act.**
- 8 **“(2) Upon prevailing in an action brought under this section, the plaintiff may recover:**
- 9 **“(a) Both special and general damages, including damages for emotional distress; and**
- 10 **“(b) Punitive damages.**
- 11 **“(3)(a) The court shall award reasonable attorney fees to the prevailing plaintiff in an**
- 12 **action brought under this section.**
- 13 **“(b) The court may award reasonable attorney fees and expert witness fees incurred by**
- 14 **a defendant who prevails in the action if the court determines that the plaintiff had no ob-**
- 15 **jectively reasonable basis for asserting a claim or no reasonable basis for appealing an ad-**
- 16 **verse decision of a trial court.**
- 17 **“SECTION 4. Sections 2 and 3 of this 2023 Act apply to conduct occurring on or after the**
- 18 **effective date of this 2023 Act.**
- 19 **“SECTION 5. This 2023 Act being necessary for the immediate preservation of the public**
- 20 **peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect**
- 21 **on its passage.”.**
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