

HB 2302 STAFF MEASURE SUMMARY

House Committee On Judiciary

Prepared By: Kris Kolta, LPRO Analyst

Meeting Dates: 1/27

WHAT THE MEASURE DOES:

WHAT THE MEASURE DOES:

This measure expands upon who may bring a civil action for abuse of a vulnerable person by extending the definition of “vulnerable person” to include those under 18 years of age.

Detailed Summary:

- Adds individuals under 18 years of age to the definition of “vulnerable person” pursuant to Oregon’s statutes governing civil actions for abuse of a vulnerable person. ORS 124.100–124.140.
- Applies prospectively and retroactively to acts of physical and financial abuse for civil actions filed on or after the measure’s effective date and within the statute of limitations.
- Declares emergency, effective upon passage.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Oregon law allows for the recovery of enhanced damages – treble damages and attorney fees – and broad equitable relief when acts of physical abuse (ORS 124.105) or financial abuse (ORS 124.110) are committed against a statutorily defined “vulnerable person.” Under the current statutory scheme, also known as the elder abuse statute, “vulnerable person” is defined as an elderly person, a financially incapable person, an incapacitated person, or a person with a disability. ORS 124.100(1)(e).