

Senate Bill 180

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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 **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act says that a plaintiff may not sue a person who talks about certain bad behavior for defamation if the person has a reasonable belief that it happened. The Act says that the plaintiff has to pay the person's lawyer fees and sanctions. (Flesch Readability Score: 61.4).

Provides that a person may not bring an action for defamation against an individual who, without malice, makes a communication regarding an incident of sexual assault, harassment or discrimination if, at the time of making the communication, the individual has a reasonable belief that sexual assault, harassment or discrimination occurred. Allows the prevailing defendant to recover attorney fees and provides for imposition of remedial sanctions against the plaintiff.

A BILL FOR AN ACT

1
2 Relating to retaliatory actions for defamation.

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

4 **SECTION 1. (1) A person may not bring an action for defamation against an individual**
5 **who, without malice, makes a communication regarding an incident of sexual assault,**
6 **harassment or discrimination if, at the time of making the communication, the individual**
7 **has a reasonable belief that sexual assault, harassment or discrimination occurred, whether**
8 **or not the individual filed an official complaint.**

9 **(2) A prevailing defendant in an action brought in violation of subsection (1) of this sec-**
10 **tion is entitled to recover reasonable attorney fees.**

11 **(3) A nonprevailing plaintiff in an action brought in violation of subsection (1) of this**
12 **section is subject to imposition of remedial sanctions under ORS 33.055, including but not**
13 **limited to payment to the prevailing defendant of a sum of money sufficient to compensate**
14 **the prevailing defendant for loss, injury and costs suffered by the prevailing defendant as a**
15 **result of the action for defamation.**

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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.