

Requested by SENATE COMMITTEE ON JUDICIARY

**PROPOSED AMENDMENTS TO  
SENATE BILL 180**

1 Delete lines 4 through 15 of the printed bill and insert:

2 **“SECTION 1. (1) As used in this section, ‘communication regarding**  
3 **an incident of sexual assault, harassment or discrimination’ includes,**  
4 **but is not limited to, factual information related to an incident of:**

5 **“(a) Unwanted conduct of a sexual nature that is inflicted upon a**  
6 **person or compelled through the use of physical force, manipulation,**  
7 **threat or intimidation.**

8 **“(b) Violation of ORS 659A.030.**

9 **“(c) Unlawful dissemination of an intimate image, as described in**  
10 **ORS 163.472.**

11 **“(2) A person may not bring an action for defamation against an**  
12 **individual who, without malice, makes a communication regarding an**  
13 **incident of sexual assault, harassment or discrimination committed**  
14 **against the individual if, at the time of making the communication,**  
15 **the individual has a reasonable belief that sexual assault, harassment**  
16 **or discrimination was committed against the individual, whether or**  
17 **not the individual filed an official complaint.**

18 **“(3) A defendant in an action brought in violation of subsection (2)**  
19 **of this section may file a counterclaim for the economic and noneco-**  
20 **nomical damages suffered by the defendant as a result of the action for**  
21 **defamation. If the defendant prevails on the counterclaim, the de-**

1 **defendant is entitled to recover:**

2 **“(a) Three times the economic and noneconomic damages suffered**  
3 **by the defendant as a result of the action for defamation; and**

4 **“(b) Punitive damages.**

5 **“(4) A prevailing defendant in an action brought in violation of**  
6 **subsection (2) of this section is entitled to recover reasonable attorney**  
7 **fees.”.**

8

---