

HB 3816-1  
(LC 3151)  
3/18/25 (MNJ/ps)

Requested by Representative KROPF

**PROPOSED AMENDMENTS TO  
HOUSE BILL 3816**

1 In line 2 of the printed bill, before the period, insert “creating new pro-  
2 visions; and amending ORS 137.109”.

3 Delete lines 4 through 8 and insert:

4 **“SECTION 1. Section 2 of this 2025 Act is added to and made a part  
5 of ORS 137.101 to 137.109.**

6 **“SECTION 2. Notwithstanding ORS 137.106, 137.108, 419C.450 and  
7 811.706, upon collection, 50 percent of awards of restitution as defined  
8 in ORS 137.103, awards of restitution under ORS 419C.450 and money  
9 awards made under ORS 811.706 ordered to an insurance carrier shall  
10 be deposited in the Criminal Injuries Compensation Account estab-  
11 lished under ORS 147.225.**

12 **“SECTION 3. ORS 137.109 is amended to read:**

13 “137.109. (1) Nothing in ORS 137.103 to 137.109, 137.540, 144.102, 144.275,  
14 161.675 and 161.685 limits or impairs the right of a person injured by a  
15 defendant’s commission of a crime, by a defendant’s commission of a vio-  
16 lation described in ORS 153.008, or by a defendant’s commission of an act  
17 that has brought the defendant before the court for the purpose of entering  
18 into a driving while under the influence of intoxicants diversion agreement,  
19 to sue and recover damages from the defendant in a civil action. Evidence  
20 that the defendant has paid or been ordered to pay restitution pursuant to  
21 ORS 137.103 to 137.109, 137.540, 144.102, 144.275, 161.675 and 161.685 may not

1 be introduced in any civil action arising out of the facts or events that were  
2 the basis for the restitution. However, the court shall credit any restitution  
3 paid by the defendant to a victim, **or to the Criminal Injuries Compens-**  
4 **sation Account under section 2 of this 2025 Act**, against any judgment  
5 in favor of the victim in such civil action.

6 “(2) If conviction in a criminal trial necessarily decides the issue of a  
7 defendant’s liability for economic damages of a victim, that issue is conclu-  
8 sively determined as to the defendant if it is involved in a subsequent civil  
9 action.

10 **“SECTION 4. Section 2 of this 2025 Act and the amendments to ORS**  
11 **137.109 by section 3 of this 2025 Act apply to judgments entered on or**  
12 **after the effective date of this 2025 Act.”.**

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