

Requested by Senator PROZANSKI

**PROPOSED AMENDMENTS TO
SENATE BILL 926**

1 Delete lines 4 through 17 of the printed bill and insert:

2 **“SECTION 1. Sections 2 and 3 of this 2025 Act are added to and**
3 **made a part of ORS chapter 757.**

4 **“SECTION 2. (1) As used in this section:**

5 **“(a) ‘Electric company’ means an electric company, as defined in**
6 **ORS 757.600, that services electricity to more than 25,000 retail elec-**
7 **tricity consumers located in this state.**

8 **“(b) ‘Retail electricity consumer’ has the meaning given that term**
9 **in ORS 757.600.**

10 **“(2) If a court or jury finds that a wildfire resulted from the**
11 **negligence or a higher degree of fault on the part of an electric com-**
12 **pany, the electric company may not recover from retail electricity**
13 **consumers the following costs and expenses:**

14 **“(a) Costs and expenses that are, or are associated with, a civil**
15 **judgment, civil fine or penalty or criminal fine or penalty that results**
16 **from or is based on the finding that the wildfire resulted from the**
17 **negligence or a higher degree of fault on the part of the electric**
18 **company.**

19 **“(b) Costs and expenses that are, or are associated with, a settle-**
20 **ment that is based on:**

21 **“(A) The underlying allegations that there are losses, expenses or**

1 damages caused by the wildfire that resulted from the negligence or
2 a higher degree of fault on the part of the electric company; or

3 “(B) The finding that the wildfire resulted from the negligence or
4 a higher degree of fault on the part of the electric company.

5 “(c) Litigation costs and expenses of, or associated with, the civil
6 or criminal action in which the court or jury finds that the wildfire
7 resulted from the negligence or a higher degree of fault on the part
8 of the electric company.

9 “(d) Costs and expenses of, or associated with, repairing or replac-
10 ing the electric company’s real or personal property that was damaged
11 or destroyed in the wildfire that the court or jury finds resulted from
12 the negligence or a higher degree of fault on the part of the electric
13 company.

14 **“SECTION 3.** (1) As used in this section, ‘electric company’ means
15 an electric company, as defined in ORS 757.600, that services electricity
16 to more than 25,000 retail electricity consumers, as defined in ORS
17 757,600, located in this state.

18 “(2) If an electric company owes any debt on an outstanding judg-
19 ment that is based on a finding by a court or jury that a wildfire re-
20 sulted from the negligence or a higher degree of fault on the part of
21 the electric company, the electric company may not:

22 “(a) Pay or distribute dividends, income, interest or profits of the
23 electric company, or affiliate or subsidiary of the electric company, to
24 any person or individual with an ownership or beneficial interest in
25 the electric company; or

26 “(b) Pay, distribute or repurchase stock or other ownership interest
27 in the electric company, or affiliate or subsidiary of the electric com-
28 pany, to any person or individual with an ownership or beneficial in-
29 terest in the electric company.

30 **“SECTION 4.** In a civil action arising out of allegations that the

1 **conduct of an electric company, as defined in section 3 of this 2025 Act,**
2 **caused or substantially contributed to a wildfire:**

3 **“(1) If the plaintiff establishes that the wildfire resulted from the**
4 **negligence or a higher degree of fault on the part of the electric**
5 **company:**

6 **“(a) The court shall award reasonable attorney fees and costs and**
7 **expenses incurred by the plaintiff in investigating the wildfire and**
8 **litigating the action;**

9 **“(b) The rate of interest on the judgment shall be nine percent per**
10 **annum and accrue from the date the wildfire was ignited; and**

11 **“(c) Damages awarded to the plaintiff may not be offset by any**
12 **money received from any other source by the plaintiff.**

13 **“(2) If the plaintiff establishes the conduct of an electric company**
14 **was grossly negligent, reckless or willful, the court shall award treble**
15 **the amount of damages, including economic, noneconomic and puni-**
16 **tive.**

17 **“SECTION 5. Sections 2 to 4 of this 2025 Act apply to wildfires that**
18 **are ignited on or after January 1, 2020.**

19 **“SECTION 6. (1) As used in this section, ‘electric company’ means**
20 **an electric company, as defined in ORS 757.600, that services electricity**
21 **to more than 25,000 retail electricity consumers, as defined in ORS**
22 **757,600, located in this state.**

23 **“(2) If an electric company owes any debt on an outstanding judg-**
24 **ment that is based on a finding by a court or jury that a wildfire re-**
25 **sulted from the negligence or a higher degree of fault on the part of**
26 **the electric company and the electric company has not satisfied the**
27 **judgment by January 1, 2026, the electric company shall be liable for**
28 **all taxes that may be owed by the prevailing party on the judgment**
29 **at the time the electric company satisfies the judgment.**

30 **“SECTION 7. Section 6 of this 2025 Act applies to a judgment that**

1 **has been issued between January 1, 2020, and January 1, 2025.”.**

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