

**HB 4111 A    STAFF MEASURE SUMMARY****Carrier:** Rep. Chotzen**House Committee On Judiciary****Action Date:** 02/16/26**Action:** Do pass with amendments. (Printed A-Eng.)**Vote:** 5-3-0-0**Yeas:** 5 - Andersen, Chaichi, Chotzen, Kropf, Tran**Nays:** 3 - Lewis, Mannix, Wallan**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Prepared By:** Amie Fender-Sosa, LPRO Analyst**Meeting Dates:** 2/4, 2/16**WHAT THE MEASURE DOES:**

The measure generally renders an individual's immigration status inadmissible in a civil proceeding unless such status is an essential element of a party's claim. It establishes two employment-claim exceptions, allowing the introduction of immigration status-related evidence through a confidential post-trial filing: 1) for a final removal order in an immigration proceeding solely to calculate damages for future wage loss, and 2) for a federal work authorization if the party was awarded reinstatement to a position. If a party moves to submit immigration-related evidence at trial, the measure directs the court to hold a hearing outside the jury's presence and to render all related materials confidential. The measure prohibits an employer from taking an adverse action against an employee for updating personal information to reflect a lawful change to their federal employment authorization. It states that it is legal for an employer to comply with federal employment authorization verification requirements. The measure protects employers if a third-party benefits administrator independently takes adverse action in response to changes in the employee's personal information or federal employment authorizations. It also prohibits law enforcement officers from profiling a person based on immigration status. The measure takes effect on the 91st day following adjournment sine die.

**ISSUES DISCUSSED:**

- Access to justice in the workplace
- Concerns about jury bias because of immigration status when the status is not relevant to the trial
- Desire for people to feel safe in their communities

**EFFECT OF AMENDMENT:**

The amendment specifies that, pursuant to a wage-loss claim, a removal order may only be introduced to calculate lost wages. The amendment specifies that it is legal for an employer to comply with federal employment authorization verification requirements and protects an employer if a third-party benefits administrator independently takes adverse action in response to changes in the employee's personal information or federal employment authorization.

**BACKGROUND:**

Under both the state and federal evidentiary codes, evidence may be excluded from judicial proceedings if its probative value is substantially outweighed by the danger of unfair prejudice (see ORS 40.160 (OEC 403) and FRE 403). In Washington State, evidence of immigration status is generally inadmissible in civil cases unless immigration status is an element of a party's cause of action.

ORS 659A.006 prohibits employment discrimination based on race, color, religion, sex, sexual orientation, gender identity, national origin, marital status, age, disability, or familial status. Immigrants make up [12.5 percent](#) of Oregon's workforce.

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ORS 131.920 prohibits law enforcement profiling. ORS 131.930 defines such profiling as the targeting of an individual based solely on their real or perceived age, race, ethnicity, color, national origin, language, sex, gender identity, sexual orientation, political affiliation, religion, homelessness, or disability. Oregon law also establishes associated law enforcement policies, reporting, and training requirements.