

HB 4111 B STAFF MEASURE SUMMARY

Carrier: Sen. McLane

Senate Committee On Judiciary

Minority Report

Action Date: 02/25/26**Action:** Do pass with amendments to the A-Eng bill. (Printed B-Eng.) Minority**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Report Signers:** Sen. McLane, Sen. Thatcher**Prepared By:** Amie Fender-Sosa, LPRO Analyst**Meeting Dates:** 2/23, 2/25**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 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. It allows law enforcement and the Department of Corrections (DOC) to coordinate with any federal immigration authority in carrying out an action concerning a person convicted of a felony for which there was a named victim in the indictment. The measure takes effect on the 91st day following adjournment sine die.

ISSUES DISCUSSED:

- Immigrants' well-being and access to services in Oregon
- Workplace protections when someone lawfully updates their work documents
- Desire to avoid burdening employers
- An exception for cooperating with federal authorities when it relates to immigrants who have committed a felony under Oregon law

EFFECT OF AMENDMENT:

The amendment allows law enforcement and DOC to coordinate with any federal immigration authority to take action concerning a person convicted of a felony for which there was a named victim in the indictment.

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.

HB 4111 B STAFF MEASURE SUMMARY

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.