

HOUSE AMENDMENTS TO HOUSE BILL 4111

By COMMITTEE ON JUDICIARY

February 18

1 On page 1 of the printed bill, delete lines 5 through 22.

2 On page 2, delete lines 1 through 26 and insert:

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4 "ADMISSIBILITY OF EVIDENCE IN CIVIL CASES

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6 "SECTION 1. Section 2 of this 2026 Act is added to and made a part of ORS chapter 40.

7 "SECTION 2. (1) Except as otherwise allowed in this section, evidence of a party's or a
8 witness's immigration status is not admissible in a civil proceeding unless the party's or
9 witness's immigration status is an essential fact to prove an element of a party's cause of
10 action or essential to establish a party's claim for relief.

11 " (2) If a party is awarded damages for future wage loss at trial and is subject to a final
12 order of removal in immigration proceedings, the final order of removal may be submitted
13 to the court through a post-trial motion to be used solely for the purpose of calculating
14 damages.

15 " (3) If a party was awarded reinstatement to a position at trial, the party's federal work
16 authorization information may be submitted to the court through a post-trial motion.

17 " (4)(a) If a party intends to offer evidence under subsections (1) to (3) of this section, the
18 party shall:

19 " (A) Make a written motion specifically describing the evidence and stating the purpose
20 for which it is to be offered; and

21 " (B) State in the caption of the motion that the motion and attachments are confidential
22 and file the motion confidentially.

23 " (b) If a party intends to offer evidence under subsection (1) of this section, the party
24 shall make the written motion at least 15 days before the proceeding at which the evidence
25 to be offered is scheduled to begin unless the court, for good cause, sets a different time.

26 " (5)(a) If a party makes a motion under subsection (4) of this section, before admitting
27 the evidence, the court shall conduct an in camera hearing, out of the presence of the public
28 and the jury, and give the parties a right to attend and be heard. If the court determines
29 that the moving party has shown that a party's or witness's immigration status is essential
30 to prove an element of a party's cause of action or to establish a party's claim for relief, or
31 that a remedy described in subsection (2) or (3) of this section has been awarded, the court
32 shall make an order regarding the permitted use of the evidence.

33 " (b) The order, motion, related materials and record of the hearing are confidential, ex-
34 empt from public disclosure under ORS 192.311 to 192.478 and may not be disclosed except:

35 " (A) To a party in the case or the party's attorney; or

“(B) To the court.

2 “(6) This section does not prohibit a party or witness, or the party's or witness's attorney,
3 from voluntarily disclosing the party's or witness's immigration status to the court.

“EMPLOYMENT PROTECTIONS

“SECTION 3. Section 4 of this 2026 Act is added to and made a part of ORS chapter 659A.

“SECTION 4. (1) It is an unlawful practice for an employer to discharge an employee or in any manner discriminate, retaliate or otherwise take adverse action against an employee because the employee updates or attempts to update the employee’s personal information based on a lawful change in the employee’s federal employment authorization documentation.

“(2) It is not an unlawful practice under this section for an employer to take actions necessary to comply with federal employment authorization verification requirements.

“(3) An employer does not engage in an unlawful practice under this section solely because a third-party benefit administrator independently takes adverse action in response to changes in the employee’s personal information or federal employment authorization.”.