



February 11, 2026

TO: Members of the Senate Committee on Judiciary

FR: Derek Sangston, Oregon Business & Industry

RE: Opposition to SB 1553 – Undermining Legal Processes

Chair Prozanski, Vice-Chair Thatcher, members of the Senate Committee on Judiciary. For the record, I am Derek Sangston, policy director and counsel for Oregon Business & Industry (OBI).

OBI is a statewide association representing businesses from a wide variety of industries and from each of Oregon's 36 counties. Our 1,500 member companies, approximately 75% of which are small businesses, employ more than 250,000 Oregonians. Oregon's private sector businesses help drive a healthy, prosperous economy for the benefit of everyone.

Thank you for the opportunity to testify in opposition to SB 1553. OBI's interest in this bill is not specific to any pending litigation. Instead, our concern is the fact that the bill sets a precedent of the legislature interfering in the judicial process and undermining the key principles of separation of powers. We are alarmed at the possibility that any stakeholder group – whether they be trial lawyers or business advocates – would be able to come to the Legislature to alter the terms of litigation while lawsuits are pending.

While the bill would now allow for a direct appeal to the Oregon Supreme Court, we remain concerned that SB 1553 unconstitutionally interferes with the Due Process rights of defendants. First, upon a finding of liability and seemingly without the benefit of that appeal process, the bill requires electric utilities to establish qualified escrow funds sufficient to ensure it is able to satisfy the judgments against it. The bill also requires a defendant to pay any taxes owed on judgments even though the IRS clearly identifies this as income to the plaintiff. As we understand it, in cases like this where an appeal is pending, the proper procedure is for the defendant to post a bond. If the bond is insufficient, that should be a question that should be before the trial court, not the legislature.

Finally, OBI opposes that this bill seems to be putting itself in the place of the courts by imposing new requirements on judgments already issued between January 1, 2020, and January 1, 2025. We simply believe it is unconstitutional for the Legislature to interfere with a co-equal branch of government in this way and worry about what could cause the Legislature to attempt to interfere with the Due Process rights of defendant in the future.

For those reasons, I ask this committee to oppose SB 1553. Thank you for your consideration.

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