

Senate Joint Resolution 32

Sponsored by Senator GIROD; Senators BAERTSCHIGER JR, BOQUIST, CLOSE, FERRIOLI, GEORGE, HANSELL, KNOPP, KRUSE, OLSEN, STARR, THOMSEN, WHITSETT, WINTERS

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Proposes amendment to Oregon Constitution to limit awards of noneconomic damages against nonprofit corporations to \$1 million.

Refers proposed amendment to people for their approval or rejection at next regular general election.

JOINT RESOLUTION

Be It Resolved by the Legislative Assembly of the State of Oregon:

PARAGRAPH 1. The Constitution of the State of Oregon is amended by creating a new section 12 to be added to and made a part of Article XV, such section to read:

SECTION 12. (1) Noneconomic damages may not be recovered against a nonprofit corporation in an amount that exceeds \$1 million. The limitation imposed by this section applies to all subjective, nonmonetary losses, including but not limited to pain, mental suffering, emotional distress, humiliation, injury to reputation, loss of care, comfort, companionship and society, loss of consortium, inconvenience and interference with normal and usual activities apart from compensated employment.

(2) For the purposes of this section, a nonprofit corporation is a corporation that is organized for the conduct of charitable, benevolent, eleemosynary, humane, patriotic, religious, philanthropic, recreational, social, educational, civic or fraternal activities, and that is exempt from federal income taxation by reason of those activities.

PARAGRAPH 2. The amendment proposed by this resolution shall be submitted to the people for their approval or rejection at the next regular general election held throughout this state.

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.