2007 Regular Legislative Session
FISCAL ANALYSIS OF PROPOSED LEGISLATION
Prepared by the Oregon Legislative Fiscal Office

MEASURE NUMBER: HB 2909 **STATUS:** B Engrossed
SUBJECT: Establishes a statute of repose in product liability actions.
GOVERNMENT UNIT AFFECTED: Oregon Judicial Department
PREPARED BY: Tim Walker
REVIEWED BY: Robin LaMonte
DATE: June 18, 2007

	2007-2009	2009-2011
EXPENDITURES:		
See Comments		

EFFECTIVE DATE: January 1, 2008

GOVERNOR'S BUDGET: This bill is not anticipated by the Governor's recommended budget.

LOCAL GOVERNMENT MANDATE: This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

COMMENTS: Establishes a statue of repose for product liability actions equal to the "useful safe life" of the product at issue; creates a presumption that the useful safe life of a product is 10 years; specifies circumstances under which liability continues for damages caused by a product after the expiration of the products useful life; and specifies parameters for civil actions for damages caused by R-type metal halide lights.

The Oregon Judicial Department (OJD) is unable to estimate the fiscal impact of this bill. Product liability cases often times involve catastrophic injuries and any changes to the laws affecting these cases would likely be contested in court. The courts may incur increased costs due to challenges of the interpretation of the law and increased appeals until the new law progresses through the full legal process. At this time, the Legislative Fiscal Office (LFO) believes that the ramifications of this measure are not fully understood and therefore the fiscal impact cannot be determined.