

Enrolled
House Bill 2583

Sponsored by Representative P SMITH, Senator METSGER

CHAPTER

AN ACT

Relating to indemnity; amending ORS 190.420.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 190.420 is amended to read:

190.420. (1) Any power or powers, privileges or authority exercised or capable of exercise by a public agency in this state may be exercised and enjoyed jointly with any public agency in another state to the extent that the laws of the other state permit such joint exercise or enjoyment.

(2) Public agencies in this state and in another state may enter into agreements with one another for joint or cooperative action. Such action must be recorded by ordinance, resolution or in other lawful manner by the governing bodies of the participating public agencies.

(3) An agreement under subsection (2) of this section must specify its duration, the organization, composition and nature of any separate legal or administrative entity created to exercise the functions agreed upon, the purpose of the agreement, the method of financing the joint or cooperative undertaking, the methods to be employed to terminate the agreement, and any other necessary and proper matters.

(4) [No] **An** agreement under subsection (2) of this section [*shall*] **may not** relieve any public agency of any obligation or responsibility imposed on it by law.

(5) An agreement under subsection (2) of this section may require that a public agency in another state indemnify a public agency in this state against any tort claim or demand, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of an action in the other state.

[(5)] (6) Notwithstanding subsection (4) of this section, a public agency in this state may exclude from an agreement under subsection (2) of this section any clause or condition required by ORS 279B.220, 279B.225, 279B.230, 279B.235, 279B.270 or 279C.500 to 279C.530.

Passed by House May 1, 2007

.....
Chief Clerk of House

.....
Speaker of House

Passed by Senate May 18, 2007

.....
President of Senate

Received by Governor:

.....M,....., 2007

Approved:

.....M,....., 2007

.....
Governor

Filed in Office of Secretary of State:

.....M,....., 2007

.....
Secretary of State