

# House Bill 2477

Sponsored by Representative BENTZ (at the request of Harney County Fair) (Pre-session filed.)

## 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**.

Imposes \$1 million limit on liability of county having population of 40,000 or less, officers, employees and agents of county, vendors and exhibitors, to all claimants for cause of action arising out of conducting of county fair or other exhibition or event held on county fairgrounds. Creates exception for loss or injury covered by amusement ride insurance policy.

## A BILL FOR AN ACT

1  
2 Relating to liability limits for county fairground activities.

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

4 **SECTION 1. Section 2 of this 2017 Act is added to and made a part of ORS 30.260 to 30.300.**

5 **SECTION 2. (1) As used in this section:**

6 (a) "County fair" and "county fairgrounds" have the meanings given those terms in ORS  
7 565.010; and

8 (b) "Population" means the population estimate shown in a certificate of population on  
9 file under ORS 190.520 on the date a cause of action arises.

10 (2) Notwithstanding ORS 30.272 and except as provided in subsection (3) of this section,  
11 the liability of a county, the liability of the officers, employees and agents of the county  
12 acting within the scope of their employment or duties, and the liability of vendors and ex-  
13 hibitors, to all claimants for a cause of action may not exceed \$1,000,000 if:

14 (a) The county has a population of 40,000 or less; and

15 (b) The cause of action arises out of the conducting of a county fair or other exhibition  
16 or event held on county fairgrounds.

17 (3) Subsection (2) of this section does not limit a recovery for loss or injury that is oth-  
18 erwise available from an insurance policy providing coverage as described in ORS 460.320.

19 **SECTION 3. Section 2 of this 2017 Act applies to a cause of action arising on or after the  
20 effective date of this 2017 Act.**

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**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.