

SB 696 STAFF MEASURE SUMMARY

Carrier: Sen. Prozanski

Senate Committee On Judiciary

Action Date: 02/20/19

Action: Do pass.

Vote: 6-0-1-0

Yeas: 6 - Bentz, Gelsler, Linthicum, Manning Jr, Prozanski, Thatcher

Exc: 1 - Fagan

Fiscal: No fiscal impact

Revenue: No revenue impact

Prepared By: Channa Newell, Counsel

Meeting Dates: 2/20

WHAT THE MEASURE DOES:

Changes insurance liability required for outdoor mass gathering events to match the limits of liability for local public bodies established by Oregon Tort Claims Act.

ISSUES DISCUSSED:

- Counties have authority to regulate outdoor mass gatherings and require permits
- Counties may require organizers to carry insurance for event
- Cap on insurance was set at \$1 million in 1993 which was the same as the cap on liability to local public bodies under the Oregon Tort Claims Act
- Oregon Tort Claims Act has a yearly cost of living index
- Insurance provisions for outdoor mass gathering were not tied to index and so has remained at \$1 million cap

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Outdoor mass gathering events are defined in ORS 433.735 as "an actual or reasonably anticipated assembly of more than 3,000 persons which continues or can reasonably be expected to continue for more than 24 consecutive hours but less than 120 hours within any three-month period and which is held primarily in open spaces and not in any permanent structure." Counties may otherwise define mass gatherings in ordinance. Counties issue permits for these mass gatherings and can require a certain level of insurance be carried by the organizers of the gathering. Currently, the amount of insurance required is capped at \$1 million. This cap was placed in 1993 and has not been raised since.

Senate Bill 696 links the insurance required for outdoor mass gathering events to the limits of liability specified for local public bodies by the Oregon Tort Claims Act.