

HB 2377 A STAFF MEASURE SUMMARY

**Senate Committee On Judiciary and Ballot Measure 110
Implementation**

Prepared By: Channa Newell, Counsel

Meeting Dates: 4/19, 5/18

WHAT THE MEASURE DOES:

Provides process for satisfying claims, in whole or in part, against dissolved company through insurance assets of company. Specifies that claims against dissolved corporations that can be satisfied through insurance assets are not subject to certain time limitations outlined in Oregon Laws. Specifies process for service of summons for claim to director or officer of company, or person in charge of dissolving company's assets, or to agent authorized to accept service if director, officer, or person in charge cannot be located. Allows service on Secretary of State if claimant states they used due diligence to locate persons in affidavit to court. Applies to dissolved corporations and limited liability companies. Takes effect 91 days after adjournment sine die.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

A corporation or limited liability company that dissolves must publish notice of the dissolution in a newspaper of general circulation in the county in which the principal office is located. The notice must include information on what information is needed to make a claim against the company and where to send that claim. Unless certain circumstances exist, claims must be made within 5 years of the newspaper notice.

House Bill 2377 provides a process to seek insurance assets held by or on behalf of a dissolved corporation or limited liability company.