

SB 1576 -1, -9, -10 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

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Meeting Dates: 2/12, 2/15

WHAT THE MEASURE DOES:

This placeholder measure directs the Oregon Judicial Department to study civil matters and submit a report to the interim committees on judiciary.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 Allows the Attorney General to disclose material obtained during investigations of consumer data privacy violations to persons employed by the Attorney General. Provides confidentiality for court records relating to the settlement of a minor's claim approved under ORCP 27 I, unless a court orders otherwise for good cause shown.

-9 Allows the county courts of Gilliam, Grant, Harney, Malheur, Sherman or Wheeler to approve a transfer of probate jurisdiction to the circuit courts. Directs the county court to provide notice to the presiding judge of the circuit court at least 90 days before the cases are transferred. Declares an emergency, effective on passage, but has a delayed operative date of July 1, 2024.

-10 The amendment temporarily expands the type of local government that may opt into immunity for trails or structures in public easements and rights of way. It temporarily adds limited immunity for improved paths, trails, roads and other rights of way that are used to access land for recreational purposes. It also temporarily adds activities to the non-exclusive list of outdoor activity examples of recreational purposes.

Detailed Summary

- Allows all local governments to opt into ORS 105.668, limiting liability from ordinary negligence claims arising from the use of trails or structures on public easements or unimproved rights of way by foot, horse, bicycle or other nonmotorized means.
- Adds immunity in ORS 105.688 for improved paths, trails, roads and other rights of way that are used to access land for recreational purposes. Limits immunity for an improvement, design, or maintenance that was completed in a manner constituting gross negligence or reckless, wanton or intentional misconduct, or for which the actor is strictly liable.
- Adds running, walking, and bicycling to the non-exclusive list of outdoor activities in the definition of recreational purposes in ORS 105.672.
- Applies the measure to actions for personal injury, death or property damage commenced on or after the effective date of the measure, and before Jan. 1, 2026.
- Reverts affected laws back to present text on January 2, 2026.
- Declares emergency, effective on passage.

BACKGROUND:

This is an omnibus bill relating to civil matters.