



## ALEX CUYLER

---

Intergovernmental Relations Manager  
Alex.Cuyler@lanecountyor.gov

DATE: February 8, 2024  
TO: Senate Committee on Judiciary  
FROM: Alex Cuyler, Lane County Intergovernmental Relations Manager  
RE: SB 1576, relating to civil matters

Chair Prozanski, Vice Chair Thatcher, and members of the Judiciary Committee:

The Lane County Board of Commissioners adopt a series of Legislative Priorities in advance of each Legislative Assembly, including:

- Ensure recreational immunity statutes are refined given *Fields v Newport*.

SB 1576 and the proposed dash 3 amendment are aligned with this principle, and for this reason, we are supportive of SB 1576 and ask that the Committee schedule this bill for a work session to move the dash 3 amendment into the bill and move the amended measure to the floor of the Senate with a DO PASS recommendation.

Lane County operates a Parks Division within our Department of Public Works. Just last year, Lane County voters approved a first ever Parks Levy designed to use five years of increased property taxes to invest in County Parks. What they didn't vote for was increased litigation relating to parks and the use of their tax dollars to defend against parks related litigation.

We believed we had settled the issue of recreational immunity with the passage of both HB 2003 in 2009 and HB 3673 in 2010, both of which Lane County advocated for. We did not expect then that the term "recreational purposes" would be challenged in court, much less become the pivotal rationale behind an award for damages. We certainly appreciate the Committee for revisiting this issue and for hearing the dash 3 amendment today.

Unlike some park systems, Lane County did not close any trails or reduce any access to our parkland. We did become aware of property owners closing access to public trails, however, due to threat created by the recent Circuit Court decision in Lincoln County. We are aware that the dash 3 will sunset such that a renewed discussion on this issue can be evolved for the 2025 long session and that is fine by Lane County. We will be eager to participate in those conversations.

ELECTRONICALLY SUBMITTED BY ALEX CUYLER