

House Bill 2807

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor Tina Kotek for Psychiatric Security Review Board)

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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act says that the PSRB is immune from liability for some acts of the board and acts of persons let go by the board. (Flesch Readability Score: 73.1).

Provides that the Psychiatric Security Review Board is immune from liability for the performance of certain functions of the board. Provides that, except when the board commits wanton and willful misconduct, the board is immune from liability for the acts and omissions of a person who is or was under the jurisdiction of the board.

A BILL FOR AN ACT

1 Relating to the liability of the Psychiatric Security Review Board.

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

3 **SECTION 1. Section 2 of this 2025 Act is added to and made a part of ORS 30.265 to 30.300.**

4 **SECTION 2. (1) The Psychiatric Security Review Board is immune from liability for any**
5 **claim for injury to or death of any person or injury to property resulting from an act or**
6 **omission of the board with respect to the following functions:**

7 (a) **Conducting hearings as required by law to determine the appropriate status, release**
8 **or commitment of persons under the jurisdiction of the board.**

9 (b) **Conducting hearings as required by law to determine whether to classify or reclassify**
10 **a sex offender or whether to relieve a person from the obligation to report as a sex offender.**

11 (c) **Conducting hearings as required by law to determine whether to restore a person's**
12 **right to possess firearms.**

13 (d) **Conducting assessments as required by law to classify sex offenders.**

14 (e) **Making decisions as required by law pertaining to the oversight and supervision of**
15 **persons placed on conditional release in the community.**

16 (f) **Making decisions as required by law pertaining to the modification and termination**
17 **of conditional release plans.**

18 (g) **Making decisions as required by law pertaining to whether a person should be certi-**
19 **fied for another period of commitment.**

20 (2) **Except when the board has committed willful or wanton misconduct, the board is**
21 **immune from liability for any claim for injury to or death of any person or injury to property**
22 **resulting from an act or omission of a person who is or was under the jurisdiction of the**
23 **board while the person is on conditional release or discharged from the jurisdiction of the**
24 **board.**

25 **SECTION 3. (1) Except as provided in subsection (2) of this section, section 2 of this 2025**
26 **Act applies to all causes of action, whether arising before, on or after the effective date of**
27 **this 2025 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.

1 **(2)(a) Section 2 of this 2025 Act does not apply to causes of action for which a final**
2 **judgment has been entered before the effective date of this 2025 Act.**

3 **(b) As used in this subsection, “final judgment” means a judgment for which the time to**
4 **appeal has expired without any party filing an appeal or that is not subject to further appeal**
5 **or review.**

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