

February 19, 2025

Chair Floyd Prozanski &
Members of the Senate Judiciary Committee
Oregon State Capitol
900 Court St. NE
Salem, OR. 97301

Chair Prozanski, Members of the Committee,

The Special Districts Association of Oregon (SDAO) represents approximately 950 districts that play a crucial role in delivering essential public services all over the state, including fire protection, water supply, sanitation, libraries, parks and recreation, irrigation and more. We would like to express our support for SB 179 and extend our gratitude to Senator Prozanski for introducing and holding a hearing on this important measure.

This bill makes permanent the temporary modifications made during the 2024 legislative session to the Recreational Immunity statute following the Fields v. Newport case. That case created new legal vulnerabilities to public and private property owners who were making their lands available to the public and we thank you for the passage of those temporary changes.

The proposed permanent changes will clarify that individuals walking, running, or biking on unimproved or improved trails will be immune from liability. It also extends the protections under ORS 105.668 to special districts, and we thank you for our inclusion in that section.

Passage of this bill will mean that our members will have assurances that they can continue to pursue planning and design for new facilities and make capital improvements to their properties without the fear that they will face expensive litigation in the future. It will also result in maintaining Oregon's long-held tradition of promoting outdoor activities for our citizens and visitors so that they can continue access and explore Oregon's majestic outdoors. Permitting people to connect with nature, stay active, and foster a sense of community.

While we wholeheartedly support the current bill, we also acknowledge that there remains some subjectivity to the statute, and it would not be surprising that we will end up having to revisit this statute again in the future. Having said that, SDAO fully supports passage of this bill and urge you and this committee to help us continue

Oregon's tradition by providing high quality recreational opportunities to the people of Oregon and those who come to visit.

Thank you for your consideration,

Sincerely,

A handwritten signature in black ink, appearing to read "Mark J. Landauer", with a long horizontal flourish extending to the right.

Mark J. Landauer
Lobbyist
Special Districts Association of Oregon