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Requested Change to SB 179

Chair Prozanski, Vice Chair Thatcher and Members of the Senate Judiciary Committee,

My name is Jonathan Manton. Thank you for accepting this testimony in regard to SB 179 on behalf of the Oregon Trial Lawyers Association.

SB 179 would make permanent changes in law that would otherwise sunset. We will not oppose the bill if it merely removes the sunset and makes clear that the new law would only impact newly filed cases. We do believe Section 4 of SB 179 needs to be amended to accomplish these aims. With changes to accomplish these goals, OTLA will become neutral on SB 179.

Section 4 of SB 179 repeals/deletes Section 11 from SB 1576 in 2024, which ensured that bill was not applied retroactively. The previous bill only applied to actions “commenced on or after the effective date of this 2024 Act.”

To make clear that SB 179 also is not retroactive, we propose the following language to amend Section 11 of SB 1576:

(1) The amendments to ORS 105.668, 105.672 and 105.688 by sections 5 to 7 of this 2024 Act apply to actions for personal injury, death or property damage commenced on or after the effective date of this 2024 Act *[, and before January 2, 2026]*.

(2) The amendments to ORS 105.668, 105.672 and 105.688 by **sections 1 to 3 of this 2025 Act apply to actions for personal injury, death or property damage commenced on or after the effective date of this 2025 Act** *[sections 8 to 10 of this 2024 Act become operative on January 2, 2026, and apply to actions for personal injury, death or property damage commenced on or after January 2, 2026]*.

[(3) An ordinance, resolution, rule, order or other regulation under ORS 105.668 that is adopted by a local government other than a city or county is not effective after January 2, 2026.]

Thank you each for your service to Oregon and consideration of this request.

Best wishes,

Jonathan Manton, Advocate

Oregon Trial Lawyers Association