

REPRESENTATIVE ANNESSA HARTMAN (SHE/HER)
HOUSE DISTRICT 40



OREGON HOUSE OF REPRESENTATIVES

Chair Kropf, Vice Chairs Chotzen and Wallan,

I'm writing today as a legislator and survivor to explain HB 3582 and its -1 amendment is necessary—not in technicalities or theory, but in reality. Because, in reality, our laws are failing survivors.

Let me explain what this bill does.

Right now in Oregon, if you were sexually assaulted as an adult, you have five years to file a civil lawsuit—from the time you discover or should have discovered the connection between the assault and the injury it caused. If you were sexually abused as a child, you have the same 5-year discovery window, or until you turn 40. That may sound generous on paper. But in practice, it doesn't come close to honoring the long, painful process survivors go through to even begin speaking about what happened to them—let alone navigate the legal system.

HB 3582 eliminates those time limits. It recognizes that there is no one-size-fits-all timeline for healing from sexual violence. This bill follows the lead of eleven states that have already eliminated these time limits, including Arkansas, Louisiana, Colorado, and New York, ensuring survivors can pursue justice on their terms, when they are ready.

I will note that the bill is not retroactive—it applies to all future claims, and to cases where a victim hasn't yet discovered the connection between the injury and the abuse—but I am committed to revisiting retroactivity next session after working to figure out a way to do that without flooding our courts.

That alone is a meaningful and necessary change. But there's another part of this bill that deserves just as much attention, and that's the **-1 amendment**.

The -1 amendment removes the word "knowingly" from ORS 12.117 and ORS 12.118—the statutes that allow extended timelines for civil claims against institutions that allowed or permitted abuse.

You may be wondering why one word matters so much. Let me tell you: it matters a lot.

Powerful institutions have weaponized that single word to argue that unless a survivor can prove that the organization *knew* the perpetrator was abusing *them personally*, they shouldn't get their day in court. Not that they ignored red flags. Not that they had multiple prior reports. Not that they knew the person was dangerous. None of that is good enough if they can convince a judge that they didn't "knowingly" allow the abuse of *that* particular victim.

We've seen this play out in case after case. Against churches. Against private schools. Against national youth organizations. Against doctors and hospitals. In nearly every one of those cases, the survivor had

Rep.AnnessaHartman@oregonlegislature.gov – www.oregonlegislature.gov/Hartman

Capitol Address: 900 Court St. NE, Salem, OR 97301 – Phone: (503) 986-1440

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the courage to come forward—and the defendant tried to slam the courthouse door shut using that word.

This interpretation of the “knowingly” language seeks to impose a standard that does not exist in many other areas of negligence law. If you’re hurt in a car crash or a workplace accident, you don’t have to prove the company knew you personally were going to be injured. But for sexual abuse survivors, defendants are arguing that the law has carved out a higher bar, and that’s unacceptable.

This amendment simply levels the playing field. It restores the original intent of the statutes, which were meant to give survivors more time—not less access to justice. As with the rest of the bill, the -1 amendment will not apply retroactively.

We need to be honest about who benefits from the current system: **bad actors who are betting on silence and delay.** Institutions that have knowingly—yes, *knowingly*—turned a blind eye to credible reports of abuse and moved perpetrators around rather than removing them. They know that if they can run out the clock, they’ll never have to answer for what they allowed to happen. And our laws are letting them do it.

Let me be clear: this bill is not about punishing people or institutions who made one mistake. This is about holding accountable those who made repeated choices to protect themselves instead of protecting children, patients, students, and vulnerable people.

We cannot allow Oregon to remain a state where survivors are told, “You took too long,” or “You didn’t prove enough,” when we know the real reason they were denied justice is because the law was written in a way that worked against them from the start.

I’ve said before that I did not run for office just to pass laws—I ran to bring forward the voices of people who have been silenced and ignored for far too long. That’s exactly what this bill is about. And with that, I urge your support for HB 3582 and thank you for the opportunity to bring this important bill forward.

A handwritten signature in black ink, appearing to read "Annessa Hartman".

Representative Annessa Hartman
House District 40 – Gladstone, Oregon City, North Clackamas County