

Enrolled Senate Bill 1517

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CHAPTER

AN ACT

Relating to civil litigation; and declaring an emergency.

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

SECTION 1. (1) As used in this section:

(a) “Operator” means a person that:

(A) Offers a person the opportunity to participate in a sport, fitness or recreational activity; or

(B) Operates or provides a facility or place where a person can participate in a sport, fitness or recreational activity.

(b) “Sport, fitness or recreational activity” means an indoor or outdoor activity involving elements of inherent risk, including but not limited to hunting, fishing, swimming, boating, rafting, biking, camping, skiing, snowboarding, winter sports, team and individual sports, climbing, equestrian and rodeo activities, hiking, outfitter guiding, environmental restoration and maintenance, ocean and water sports, motorized recreation, athletic or fitness competitions, fitness activities and training activities.

(2) Except as provided in subsection (3) of this section, an operator may require a participant in a sport, fitness or recreational activity who is 18 years of age or older, or a parent or guardian on behalf of a participant in a sport, fitness or recreational activity who is under 18 years of age, to release the operator from any claim for damages for injuries to the participant resulting from ordinary negligence that arises out of the sport, fitness or recreational activity, or out of volunteering to maintain facilities or places used for a sport, fitness or recreational activity, if the participant or parent or guardian voluntarily signs a clear and unambiguous written release disclosing risks associated with the sport, fitness or recreational activity or volunteering and waiving the operator’s liability for damages for injuries resulting from those risks. A release described in this subsection is not per se unconscionable or void as contrary to public policy.

(3) An operator may not require a person to release the operator from the following types of claims:

(a) Claims for greater than ordinary negligence, including gross negligence, reckless conduct, willful misconduct or intentional torts.

(b) Claims for negligence per se.

(c) Claims relating to the maintenance or inspection of safety equipment supplied by the operator and used in connection with the sport, fitness or recreational activity or volunteering.

(d) Claims relating to negligent safety-related training of an employee or agent of the operator whose conduct causes injury.

(e) Claims relating to abuse, as defined in ORS 419B.005, or physical or sexual assault of an adult.

(f) Claims relating to the negligent hiring, training, credentialing, supervision or retention of an employee or agent of the operator whose conduct that causes injury constitutes gross negligence, reckless conduct, willful misconduct or an intentional tort.

(g) Claims relating to the operation or use of any vehicle, including but not limited to automobiles, buses, vans, snowmobiles, snow cats, all-terrain vehicles, utility terrain vehicles or side-by-sides, including if the vehicle is used for transportation to or from the location where the sport, fitness or recreational activity or volunteering takes place, unless the participant uses the vehicle as part of the sport, fitness or recreational activity or volunteering itself.

(4) A release that is broader than the release described in subsections (2) and (3) of this section shall be construed within the limits stated in subsections (2) and (3) of this section.

(5) In a claim for damages for injuries to a participant sustained while the participant is engaged in a sport, fitness or recreational activity or volunteering to maintain facilities or places used for a sport, fitness or recreational activity, whether a risk is inherent to the sport, fitness or recreational activity or volunteering is a question of law.

(6) This section does not limit or modify the provisions of ORS 30.970 to 30.990.

SECTION 2. Section 1 of this 2026 Act applies to releases, whether executed before, on or after the effective date of this 2026 Act, of claims that arise on or after the effective date of this 2026 Act.

SECTION 3. This 2026 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2026 Act takes effect on its passage.

Passed by Senate February 24, 2026

Received by Governor:

Repassed by Senate March 6, 2026

.....M.,....., 2026

Approved:

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Obadiah Rutledge, Secretary of Senate

.....M.,....., 2026

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Rob Wagner, President of Senate

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Tina Kotek, Governor

Passed by House March 5, 2026

Filed in Office of Secretary of State:

.....M.,....., 2026

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Julie Fahey, Speaker of House

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Tobias Read, Secretary of State