

HOUSE AMENDMENTS TO A-ENGROSSED SENATE BILL 1517

By COMMITTEE ON RULES

March 4

1 On page 1 of the printed A-engrossed bill, delete lines 3 through 18.

2 Delete lines 20 through 22 and delete pages 2 and 3 and insert:

3 **“SECTION 1. (1) As used in this section:**

4 **“(a) ‘Operator’ means a person that:**

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

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

9 **“(b) ‘Sport, fitness or recreational activity’ means an indoor or outdoor activity involving**
10 **elements of inherent risk, including but not limited to hunting, fishing, swimming, boating,**
11 **rafting, biking, camping, skiing, snowboarding, winter sports, team and individual sports,**
12 **climbing, equestrian and rodeo activities, hiking, outfitter guiding, environmental restoration**
13 **and maintenance, ocean and water sports, motorized recreation, athletic or fitness competi-**
14 **tions, fitness activities and training activities.**

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

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

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

30 **“(b) Claims for negligence per se.**

31 **“(c) Claims relating to the maintenance or inspection of safety equipment supplied by the**
32 **operator and used in connection with the sport, fitness or recreational activity or volun-**
33 **teering.**

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

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

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

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

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

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

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

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

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

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