

SB 1593-5
(LC 215)
2/10/26 (MNJ/ps)

Requested by Senator MEEK

**PROPOSED AMENDMENTS TO
SENATE BILL 1593**

1 On page 1 of the printed bill, line 13, delete “proven, effective and widely
2 accepted” and insert “commonly used”.

3 Delete lines 17 through 19 and insert:

4 “Whereas the unenforceability of liability waivers in Oregon has resulted
5 in the withdrawal of insurance carriers from this state and increased costs
6 and risks for recreation and health and fitness providers; and”.

7 In line 22, delete “enforces” and insert “recognizes”.

8 On page 2, delete lines 5 through 8 and insert:

9 “Whereas this measure is intended to realign Oregon with accepted na-
10 tional and state public policy and help restore the health of Oregon’s recre-
11 ation and health and fitness industries, improve the lives of Oregonians,
12 increase public safety and enhance tourism and economic opportunities
13 throughout this state; now, therefore,”.

14 Delete lines 10 through 45 and delete page 3 and insert:

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

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

17 **“(A) Offers a person the opportunity to participate in a sport, fit-
18 ness or recreational activity; or**

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

21 **“(b) ‘Sport, fitness or recreational activity’ means an indoor or**

1 outdoor activity involving elements of inherent risk, including but not
2 limited to hunting, fishing, swimming, boating, rafting, biking, camp-
3 ing, skiing, snowboarding, winter sports, team and individual sports,
4 climbing, equestrian and rodeo activities, hiking, outfitter guiding,
5 environmental restoration and maintenance, ocean and water sports,
6 motorized recreation, athletic or fitness competitions and fitness and
7 training activities.

8 “(2) Except as provided in subsection (3) of this section, an operator
9 may require a person who is 18 years of age or older, or a parent or
10 guardian on behalf of a person who is under 18 years of age, to release
11 the operator from any claim for ordinary negligence that arises out
12 of or results from the person’s participation in a sport, fitness or rec-
13 reational activity, rental of equipment for a sport, fitness or recre-
14 ational activity, use of a facility or place for a sport, fitness or
15 recreational activity or volunteering to maintain facilities or places
16 used for sport, fitness or recreational activities, before the person
17 participates in the sport, fitness or recreational activity, rents equip-
18 ment, uses a facility or place or volunteers. A release described in this
19 subsection is not unconscionable or void as contrary to public policy.

20 “(3) An operator may not require a person to release the operator
21 from any claim for a willful or wanton act or omission, a reckless act
22 or omission or a grossly negligent act or omission. A release described
23 in this subsection is severable from a release for ordinary negligence
24 required by the operator.

25 “(4) A release that is broader than the release described in sub-
26 sections (2) and (3) of this section shall be construed within the limits
27 stated in subsections (2) and (3) of this section.

28 **“SECTION 2. (1)** Except as provided in subsection (2) of this section,
29 section 1 of this 2026 Act applies to releases executed before, on or
30 after the effective date of this 2026 Act.

1 “(2)(a) Section 1 of this 2026 Act does not apply to the release of any
2 claim for which a final judgment has been entered before the effective
3 date of this 2026 Act.

4 “(b) As used in this subsection, ‘final judgment’ means a judgment
5 for which the time to appeal has expired without any party filing an
6 appeal or that is not subject to further appeal or review.

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

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