

A-Engrossed
House Bill 3083

Ordered by the House April 24
Including House Amendments dated April 24

Sponsored by COMMITTEE ON CONSUMER PROTECTION

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

[Allows person who owes money to minor pursuant to terms of judgment or by reason of settlement of civil action to transfer up to \$_____ to adult member of minor's family, or to trust company, to hold money as custodian under Oregon Uniform Transfers to Minors Act.]

[Provides that cause of action for recovery of damages for medical expenses incurred by parent, guardian or conservator of minor is tolled for same period of time as minor's cause of action if medical expenses resulted from same wrongful conduct that is basis of child's cause of action.]

Allows person having legal custody of minor to settle claim on behalf of minor without court approval under specified conditions.

A BILL FOR AN ACT

1
2 Relating to minors.

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

4 **SECTION 1. (1) A person having legal custody of a minor may enter into a settlement**
5 **agreement with a person against whom the minor has a claim if:**

6 **(a) A conservator has not been appointed for a minor;**

7 **(b) The total amount of the claim is \$25,000 or less;**

8 **(c) The moneys paid under the settlement agreement will be deposited directly into a**
9 **federally insured savings account in the sole name of the minor with notice of the deposit**
10 **to the minor; and**

11 **(d) The person entering into the settlement agreement on behalf of the minor completes**
12 **an affidavit or verified statement that attests that the person has made a reasonable inquiry**
13 **and that:**

14 **(A) To the best of the person's knowledge, the minor will be fully compensated by the**
15 **settlement; or**

16 **(B) There is no practical way to obtain additional amounts from the party entering into**
17 **the settlement agreement with the minor.**

18 **(2) If a settlement agreement is entered into in compliance with subsection (1) of this**
19 **section, the signature of the person entering into the settlement agreement on behalf of the**
20 **minor is binding on the minor without the need for further court approval or review and has**
21 **the same force and effect as if the minor were a competent adult entering into the settle-**
22 **ment agreement.**

23 **(3) A person acting in good faith on behalf of a minor under this section is not liable to**
24 **the minor for the moneys paid in settlement or for any other claim arising out of the**
25 **settlement.**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

