

Senate Bill 252

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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 **as introduced**.

Prohibits confidential settlements and compromises in civil actions in which damages are claimed by reason of injury to person or property.

A BILL FOR AN ACT

1
2 Relating to confidentiality in civil actions.

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

4 **SECTION 1. (1) A party to a civil action that claims damages by reason of injury to**
5 **person or property may not enter into any settlement or compromise of the action if the**
6 **settlement or compromise requires that the terms or conditions of the settlement or com-**
7 **promise be confidential.**

8 **(2) Notwithstanding subsection (1) of this section:**

9 **(a) A party to a civil action that claims damages by reason of injury to person or prop-**
10 **erty may enter into a settlement or compromise that requires the terms or conditions to be**
11 **confidential if federal law requires terms or conditions of that settlement or compromise to**
12 **be confidential. Only terms and conditions that are required to be confidential under federal**
13 **law may be confidential in the settlement or compromise.**

14 **(b) A court may order that the terms or conditions of a settlement or compromise that**
15 **reveal the identity of a person be confidential if:**

16 **(A) The person whose identity is revealed is a victim of sexual abuse or is under 18 years**
17 **of age; and**

18 **(B) The court determines, by written findings, that the specific privacy interests of the**
19 **person outweigh the public's interest in the terms or conditions.**

20 **(3) The plaintiff in an action subject to this section shall file with the court a full and**
21 **complete disclosure of the terms and conditions of any settlement or compromise of the**
22 **claims made by the plaintiff in the action. The disclosure must be filed before the dismissal**
23 **of the action.**

24 **(4) A party who fails to comply with the requirements of this section is subject to sanc-**
25 **tion under ORCP 17.**

26 **(5) For the purposes of this section, "action" means a legal proceeding that has been**
27 **commenced as described in ORCP 3.**

28 **SECTION 2. Section 1 of this 2007 Act applies only to civil actions commenced as de-**
29 **scribed in ORCP 3 on or after the effective date of this 2007 Act.**

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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.