

SENATE AMENDMENTS TO SENATE BILL 484

By COMMITTEE ON COMMERCE

May 4

1 On page 1 of the printed bill, line 2, delete “; creating new provisions; and amending ORS 36.620
2 and 646.608”.

3 Delete lines 4 through 31 and delete pages 2 through 4 and insert:

4 **“SECTION 1. (1) For the purposes of this section, ‘consumer’ means a person who is
5 purchasing goods or services for personal, family or household purposes.**

6 **“(2) Except to the extent provided by federal law for the enforceability of the provision,
7 a consumer may revoke any provision in a contract that requires the consumer to assert a
8 claim against the other party of the contract in a forum that is less convenient, more costly
9 or more dilatory than a judicial forum established in this state for the resolution of a dis-
10 pute.**

11 **“(3) Revocation of a provision under this section must be made in writing and commu-
12 nicated by the revoking party within a reasonable time after a dispute arises. A party seek-
13 ing to enforce a revoked provision is liable for reasonable attorney fees incurred by a
14 consumer in any litigation that results from the attempted enforcement of the revoked pro-
15 vision.**

16 **“(4) Notwithstanding ORS 45.400, in any civil action, arbitration or other civil proceeding
17 arising out of a consumer contract, any party may appear by telephone unless the judge,
18 arbitrator or other decision maker determines that there is good reason not to allow ap-
19 pearance by telephone.**

20 **“(5) This section does not apply to a contract for the sale or lease of real property.**

21 **“SECTION 2. Section 1 of this 2007 Act applies only to contracts entered into on or after
22 the effective date of this 2007 Act.”.**

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