

75th OREGON LEGISLATIVE ASSEMBLY - 2009 Regular Session
STAFF MEASURE SUMMARY
Senate Committee on Rules
REVENUE: No revenue impact
FISCAL: Fiscal statement issued

MINORITY REPORT
MEASURE: SB 284 B
CARRIER: Sen. Atkinson
Sen. Ferrioli

Action: Do Pass with Different Amendments to the A-Engrossed Measure (Printed B-Eng.)
Signers of the Report: Sen. Atkinson and Sen. Ferrioli
Prepared By: Erin Seiler, Administrator
Meeting Dates: 5/15

WHAT THE MEASURE DOES: Increases statute of ultimate repose for product liability actions, including wrongful death, to ten years or the statute of ultimate repose of the state in which the product was manufactured or from which it was imported, whichever is later. Exempts manufactured homes. Applies to causes of action arising after effective date of the Act. Exempts physicians unless involved in manufacture or design of the product. Exempts product liability actions for damages from halide or mercury vapor light bulbs from being subject to any statute of repose. Applies retroactively to halide or mercury vapor light bulbs product liability suits.

ISSUES DISCUSSED:

- Exemption for halide or mercury vapor light bulbs product-liability suits
- Constitutionality of "Look Away" provision

EFFECT OF COMMITTEE AMENDMENT: Maintains current statute of ultimate repose at 8 years. Exempts manufactured homes. Exempts physicians unless involved in manufacture or design of the product. Exempts product liability actions for damages from halide or mercury vapor light bulbs from being subject to any statute of repose. Applies retroactively to halide or mercury vapor light bulbs product liability suits. Revives a cause of action in which a final judgment has been entered on or after January 1, 2008 for death, personal injury or property damage for halide or mercury vapor light bulb products that occurred before January 1, 2010. A revived civil action must be filed within one year of the effective date of the act.

BACKGROUND: The statute of ultimate repose is the time limit under which any product liability action for personal injury or property damage must be commenced. The time limit is currently 8 years.

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This summary has not been adopted or officially endorsed by action of the committee.

Committee Services Form – 2009 Regular Session