

# House Bill 2612

Sponsored by COMMITTEE ON JUDICIARY

## 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**.

Extends statute of ultimate repose for product liability civil actions.

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### A BILL FOR AN ACT

Relating to statute of limitations for product liability civil actions; creating new provisions; and amending ORS 30.905.

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

**SECTION 1.** ORS 30.905 is amended to read:

30.905. (1) Except as provided in ORS 30.907 and 30.908 (1) to (4), a product liability civil action may not be brought for any death, personal injury or property damage that is caused by a product and that occurs more than [*eight*] **25** years after the date on which the product was first purchased for use or consumption.

(2) Except as provided in ORS 30.907 and 30.908 (1) to (4), a product liability civil action for personal injury or property damage must be commenced not later than [*the earlier of:*]

[*(a)*] two years after the date on which the plaintiff discovers, or reasonably should have discovered, the personal injury or property damage and the causal relationship between the injury or damage and the product, or the causal relationship between the injury or damage and the conduct of the defendant[; *or*]

[*(b)*] *Ten years after the date on which the product was first purchased for use or consumption*].

(3) Except as provided in ORS 30.907 and 30.908 (1) to (4), a product liability civil action for death must be commenced not later than [*the earlier of:*]

[*(a)*] the limitation provided by ORS 30.020[; *or*]

[*(b)*] *Ten years after the date on which the product was first purchased for use or consumption*].

**SECTION 2.** (1) **Except as provided by subsection (2) of this section, the amendments to ORS 30.905 by section 1 of this 2009 Act apply to all causes of action, whether arising before, on or after the effective date of this 2009 Act, and operate to revive any cause of action that expired by operation of ORS 30.905 as in effect immediately before the effective date of this 2009 Act.**

(2) **The amendments to ORS 30.905 by section 1 of this 2009 Act do not apply to a cause of action for which a judgment was entered in circuit court before the effective date of this 2009 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.