

**A-Engrossed**  
**House Bill 2312**

Ordered by the House March 9  
Including House Amendments dated March 9

Sponsored by Representative TOMEI; Representatives COWAN, MATTHEWS, THOMPSON, Senator JOHNSON  
(Presession filed.)

**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.

*[Provides that charitable corporation is not liable for damages arising out of providing eyeglasses, hearing aids or other medical devices without charge.]*

**Provides that certain charitable corporations are not liable for damages arising out of providing, without charge, previously owned eyeglasses or hearing aids under certain circumstances.**

**A BILL FOR AN ACT**

1  
2 Relating to liability of charitable corporations.

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

4 **SECTION 1. (1) A fraternal organization, as defined in ORS 307.134, that is also a chari-**  
5 **table corporation, as defined in ORS 128.620, and any other charitable corporation, as defined**  
6 **in ORS 128.620, that is affiliated with the fraternal organization are not liable for any dam-**  
7 **ages arising out of providing previously owned eyeglasses or hearing aids to a person if:**

8 (a) **The person is at least 14 years of age; and**

9 (b) **The eyeglasses or hearing aids are provided to the person without charge.**

10 (2) **The immunity provided by subsection (1) of this section applies to eyeglasses only if**  
11 **the eyeglasses are provided by a licensed optometrist or ophthalmologist who has:**

12 (a) **Personally examined the person who will receive the eyeglasses and issued a pre-**  
13 **scription for the eyeglasses; or**

14 (b) **Personally consulted with the licensed optometrist or ophthalmologist who issued the**  
15 **prescription for the eyeglasses.**

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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.