

Senate Bill 623

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**.

Revives certain product liability civil actions for damages resulting from asbestos-related disease claims that are barred solely because statute of limitations for claims has expired. Allows commencement of action for claim on or after effective date of Act and before January 1, 2013.

A BILL FOR AN ACT

1
2 Relating to asbestos.

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

4 **SECTION 1. (1) Notwithstanding any other provision of law, a product liability civil action**
5 **for damages resulting from asbestos-related disease is revived if, on the effective date of this**
6 **2011 Act, the action is barred solely because the statute of limitations for the claim has ex-**
7 **pired, and an action may be commenced for the claim on or after the effective date of this**
8 **2011 Act and before January 1, 2013.**

9 **(2) The provisions of subsection (1) of this section do not apply to a claim for which a**
10 **judgment was entered before the effective date of this 2011 Act and for which all appeals**
11 **were exhausted before the effective date of this 2011 Act, unless the judgment was entered**
12 **based on the expiration of the statute of limitations applicable to the claim.**

13 **(3) The provisions of subsection (1) of this section do not apply to a claim for which a**
14 **written settlement between the plaintiff and the defendant was entered into before the ef-**
15 **fective date of this 2011 Act if the plaintiff was represented by an attorney admitted to the**
16 **practice of law in this state at the time the settlement was executed.**

17 **(4) The provisions of subsection (1) of this section do not affect the statute of limitations**
18 **for any claim for relief for which the statute of limitations has not expired on the effective**
19 **date of this 2011 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.