

JIM WEIDNER
STATE REPRESENTATIVE
DISTRICT 24



HOUSE OF REPRESENTATIVES
900 COURT ST NE
SALEM, OR 97301

HB 3452
April 14th, 2015
House Judiciary Committee

Chair Rep. Barker and distinguished members of the House Committee on Judiciary, thank you for taking the time to hear HB 3452 today.

My name is Rep. Jim Weidner, representing House District 24 which encompasses much of Yamhill County and Southwest Washington County.

HB 3452 is a very simple bill introduced to clarify for parents their liability when using facilities for youth non-profit events. This occurs often in rural communities where for instance, the Boy or Girls Scouts may want to use a ranch for a particular event. Before that event, the property owner will have the parents sign a waiver intended to protect the property owner from liability and the waiver serves to educate the parents to the inherent risk associated with using a particular facility. Some land owners, have worked with their attorneys to draft liability waivers which extend the liability to include indemnification clauses which places the signatory in lieu of the property owner, in a position of liability in case of accidents that result in a trial. Parents often sign these agreements without fully understanding the extent of their personal liability when signing a waiver that includes indemnity clauses. For instance, mortgage officers ask the extent of an individual's liability, if someone has signed an indemnification clause then technically they must report this waiver in their liabilities.

Due to these reasons, this bill will forbid a contract with a youth based non-profit to include language in which an individual participating in the use of property or facilities will indemnify the owner of the property or facilities for damages not caused by the individual.

I again thank you for your time and attention in hearing this bill today, and look forward to the scheduled work session to move this important legislation that will protect Oregon parents who seek to promote youth non-profit organizations.

Best regards,

Rep. Jim Weidner