

**A-Engrossed**  
**House Bill 2964**

Ordered by the House April 16  
Including House Amendments dated April 16

Sponsored by Representative BARTON

**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.

*[Directs Oregon Law Commission to submit report to interim legislative committees, no later than July 1, 2016, regarding recommendations for compiling data and information regarding protected persons in Oregon who are subject to guardianship or conservatorship proceedings.]*

**Provides that when guardian ad litem or conservator of estate of child maintains cause of action for damages to child, parent or conservator may file consent to accompany complaint that authorizes inclusion in cause of action of request for recovery of damages to child.**

**Provides that if consent accompanies filing of cause of action by conservator of estate of child, court may not entertain any cause of action by parent for doctor, hospital or medical expenses.**

Declares emergency, effective on passage.

**A BILL FOR AN ACT**

Relating to protected persons; amending ORS 31.700; and declaring an emergency.

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

**SECTION 1.** ORS 31.700 is amended to read:

31.700. (1) When the guardian ad litem **or conservator of the estate** of a child maintains a cause of action for recovery of damages to the child caused by a wrongful act, the parent, parents, or conservator of the estate of the child may file a consent accompanying the complaint of the guardian ad litem **or conservator** to include in the cause of action the damages as, in all the circumstances of the case, may be just, and will reasonably and fairly compensate for the doctor, hospital and medical expenses caused by the injury.

(2)(a) If the consent is filed as provided in subsection (1) of this section and the court allows the filing **by a guardian ad litem**, no court shall entertain a cause of action by the parent, parents or conservator for doctor, hospital or medical expenses caused by the injury.

**(b) If the consent is filed as provided in subsection (1) of this section and the filing is by a conservator, no court shall entertain a cause of action by the parent or parents for doctor, hospital or medical expenses caused by the injury.**

**SECTION 2. This 2015 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect on its passage.**

**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.