



To: Chair Prozanski & Members of the Senate Committee on Judiciary

From: Clackamas County Business Alliance

Date: April 3, 2017

Re: Support SB 327

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The Clackamas County Business Alliance (CCBA) is a non-profit advocacy group supporting issues of importance to Clackamas County Businesses. CCBA respectfully requests your support of SB 327, which relates to recreational immunity from claims of persons entering land for certain purposes.

A recent Oregon Supreme Court decision (*Johnson v. Gibson*) narrowed the immunity guaranteed to recreational activities, which could result in a severe reduction of land available to Oregonians for their recreational use and enjoyment. If this ruling is allowed to stand, it will also undermine a landowner's recreational immunity from tort liability. Public employers are statutorily required to indemnify their employees; those landowners will in fact be responsible for the actions of their employees that result in injury. Landowners must now weigh whether allowing the public to recreate on their land and in their facilities is worth the increased risk of liability.

After the decision in *Johnson*, CCBA supports SB 327 in an effort to restore recreational immunity as the legislature originally intended. The bill will simply confirm that a landowner's officers, employees, agents or volunteers who are acting within the scope of their employment or duties are also covered.

CCBA respectfully requests your support of SB 327.

Thank you,

Nellie deVries  
Executive Director  
Clackamas County Business Alliance