

**SB 327 A STAFF MEASURE SUMMARY**

**Carrier:** Sen. Prozanski

**Senate Committee On Judiciary**

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**Action Date:** 04/06/17

**Action:** Do pass with amendments. (Printed A-Eng.)

**Vote:** 5-0-0-0

**Yeas:** 5 - Dembrow, Linthicum, Manning Jr, Prozanski, Thatcher

**Fiscal:** Fiscal impact issued

**Revenue:** Has minimal revenue impact

**Prepared By:** Whitney Perez, Counsel

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**WHAT THE MEASURE DOES:**

Extends recreational immunity to employees, agents and volunteers of land owner when acting within scope of duties and certain others with an ownership interest in an entity that is a land owner. Declares emergency, effective on passage.

**ISSUES DISCUSSED:**

- Johnson v. Gibson, 358 Or. 624, (2015)
- Safety of children in parks and playgrounds
- -1 amendment and duty of care

**EFFECT OF AMENDMENT:**

Removes provision eliminating duty of care to maintain land.

**BACKGROUND:**

Senate Bill 327-A modifies the definition of owner for purposes of civil liability of land used by the public for recreational purposes. Owner would include the holder of any legal or equitable title; officers, employees, volunteers or agents of possessors of any interest in land while these persons are acting within the scope of assigned duties; and the director, partner, general partner, shareholder, limited liability company member, limited liability partner or limited partner of possessors of any interest in land.