



OREGON STATE SENATE

May 16, 2019

House Judiciary Committee
900 Court Street E, Room 331
Salem, Oregon 97301

Honorable Legislators:

OLIS contains the A6 amendment to SB 726 which I call a legislative leadership amendment.

The Legislature passed HCR 11 on the first day of Session to establish a four-year statute of limitations on harassment under the Legislative Personnel Rule 27. Despite the best efforts to Senate Work Force Committee to pass SB 726 with a five year reach back, as the Legislature did with child abuse, members of the Senate were outright told 'leadership' would not allow a reach back. That is leadership in the State Senate majority would not pass a bill to bring justice to past victims in the Oregon State Capitol.

SB 726 A6 is a very simple amendment. It mirrors the intent of HCR 11 just inside state government. It leaves SB 726A as is for cities, counties, and the private sector. Only the Legislature, Executive, and Judicial Branches would have a five year reach back. The intent is to show leadership to the public.

Please note if we have done nothing wrong there is no fiscal to state government.

Then if you want another reason to adopt the A6 amendment there are committee members that can answer that question as they, like me, served on the Legislative Counsel Committee.

Respectfully requested,

Brian J. Boquist
District 12
Oregon State Senate



Requested by Senator BOQUIST

**PROPOSED AMENDMENTS TO
A-ENGROSSED SENATE BILL 726**

1 On page 10 of the printed A-engrossed bill, after line 4, insert:

2 **“SECTION 11. (1) Notwithstanding any other provision of law, a**
3 **complaint under ORS 659A.820 or an action under ORS 659A.885 alleg-**
4 **ing a violation of ORS 659A.030, 659A.082 or 659A.112 that occurred not**
5 **more than five years before the effective date of this 2019 Act against**
6 **an employer that is a state government is revived if, on the effective**
7 **date of this 2019 Act, the complaint or action is barred solely because**
8 **the statute of limitations for the complaint or action has expired. A**
9 **complaint or an action may be commenced for the claim on or after**
10 **the effective date of this 2019 Act and no later than five years after**
11 **the effective date of this 2019 Act.**

12 **“(2) The provisions of subsection (1) of this section do not apply to**
13 **a claim for which judgment was entered before the effective date of**
14 **this 2019 Act and for which all appeals were exhausted before the ef-**
15 **fective date of this 2019 Act, unless the judgment was entered based**
16 **on the expiration of the statute of limitations applicable to the claim.**

17 **“(3) The provisions of subsection (1) of this section do not affect the**
18 **statute of limitations for any claim for relief for which the statute of**
19 **limitations has not expired on the effective date of this 2019 Act.**

20 **“(4) As used in this section, ‘state government’ has the meaning**
21 **given that term in ORS 174.111.”.**

1 In line 5, delete "11" and insert "12".

2 In line 13, delete "12" and insert "13".

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