

SB 696 STAFF MEASURE SUMMARY

House Committee On Agriculture and Land Use

Action Date: 05/02/19

Action: Do pass and be referred to Judiciary by prior reference

Vote: 7-0-0-0

Yeas: 7 - Boshart Davis, Clem, Helm, McLain, Post, Smith DB, Williams

Fiscal: No fiscal impact

Revenue: No revenue impact

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Meeting Dates: 4/16, 5/2

WHAT THE MEASURE DOES:

Changes insurance liability required for outdoor mass gathering events to match the limits of liability for local public bodies established by the Oregon Tort Claims Act.

ISSUES DISCUSSED:

- Current liability insurance cap for outdoor mass gatherings
- 2009 Oregon Supreme Court case regarding the Oregon Tort Claims Act
- Permissive, not mandatory, authorization for counties to require liability insurance

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Outdoor mass gathering events are defined in ORS 433.735 as "an actual or reasonably anticipated assembly of more than 3,000 persons which continues or can reasonably be expected to continue for more than 24 consecutive hours but less than 120 hours within any three-month period and which is held primarily in open spaces and not in any permanent structure." Counties may also define mass gatherings by ordinance. Counties issue permits for mass gatherings and can require a certain level of insurance be carried by the organizers of the gathering if the gathering creates a potential for injury to persons or property. Currently, the amount of insurance that can be required is statutorily capped at \$1 million; the cap was set in 1993 and has not been raised since then.

Senate Bill 696 would link the insurance required for outdoor mass gathering events to the limits of liability specified for local public bodies by the Oregon Tort Claims Act.