HB 4212-38
(LC 45)
6/25/20  (MNJ/ps)

Requested by Representative MCKEOWN

PROPOSED AMENDMENTS TO
HOUSE BILL 4212

On page 23 of the printed bill, after line 1, insert:

“LIMITATION OF LIABILITY

“SECTION 44. (1) As used in this section:

“(a) ‘Guidance’ means executive orders issued by the Governor or regulations adopted by any state agency.

“(b) ‘Person’ includes an individual, corporation, association, firm, partnership, limited liability company, joint stock company or public body, as defined in ORS 174.109.

“(c) ‘State agency’ means any state officer, board, commission, bureau, department, or division thereof, in the executive branch of state government.

“(2) A person is not liable for damages arising out of acts or omissions that complied with the guidance regarding COVID-19 that is applicable to the person’s activities.

“(3) This section does not limit liability for gross negligence or reckless, wanton or intentional misconduct.

“SECTION 45. Section 44 of this 2020 special session Act applies to causes of action that accrue during the period during which the declaration of a state of emergency issued by the Governor on March 8,
2020, and any extension of the declaration, is in effect.”.

In line 5, delete “44” and insert “46”.

In line 11, delete “45” and insert “47”.

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