

LC 472
2023 Regular Session
52500-0015
9/1/22 (DRG/ps)

D R A F T

SUMMARY

Prohibits person from suing Higher Education Coordinating Commission for commission's performance, or failure to perform, any duty, function or power relating to psilocybin products following effective date of Ballot Measure 109 (2020).

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to immunity for Higher Education Coordinating Commission; cre-
3 ating new provisions; amending ORS 475A.558; and declaring an emer-
4 gency.

5 **Be It Enacted by the People of the State of Oregon:**

6 **SECTION 1.** ORS 475A.558 is amended to read:

7 475A.558. Immunity for state agencies, officers and employees in perform-
8 ance of duties. A person may not sue the Oregon Health Authority, the State
9 Department of Agriculture, **the Higher Education Coordinating Com-**
10 **mission or a member of the commission** or the Oregon Liquor and
11 Cannabis Commission or a member of the commission, or any employee of
12 the authority, department or [*commission*] **commissions**, for performing or
13 omitting to perform any duty, function or power of the authority, department
14 or [*commission*] **commissions** set forth in ORS 475A.210 to 475A.722 or in
15 any other law of this state requiring the authority, department or [*commis-*
16 *sion*] **commissions** to perform a duty, function or power related to
17 psilocybin products.

18 **SECTION 2.** **The amendments to ORS 475A.558 by section 1 of this**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 **2023 Act apply to the performance, or omission to perform, by the**
2 **Higher Education Coordinating Commission, or by a member or em-**
3 **ployee of the commission, any duty, function or power relating to**
4 **psilocybin products on or after the date on which Ballot Measure 109**
5 **(2020) became effective under Article IV, section 1 (4)(d), of the Oregon**
6 **Constitution.**

7 **SECTION 3. This 2023 Act being necessary for the immediate pres-**
8 **ervation of the public peace, health and safety, an emergency is de-**
9 **clared to exist, and this 2023 Act takes effect on its passage.**

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