

# House Bill 3560

Sponsored by COMMITTEE ON HIGHER EDUCATION (at the request of Higher Education Coordinating Commission)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

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; creating new provisions;  
3 amending ORS 475A.558; and declaring an emergency.

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

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

6 475A.558. Immunity for state agencies, officers and employees in performance of duties. A person  
7 may not sue the Oregon Health Authority, the State Department of Agriculture, **the Higher Edu-**  
8 **cation Coordinating Commission or a member of the commission** or the Oregon Liquor and  
9 Cannabis Commission or a member of the commission, or any employee of the authority, department  
10 or [*commission*] **commissions**, for performing or omitting to perform any duty, function or power  
11 of the authority, department or [*commission*] **commissions** set forth in ORS 475A.210 to 475A.722  
12 or in any other law of this state requiring the authority, department or [*commission*] **commissions**  
13 to perform a duty, function or power related to psilocybin products.

14 **SECTION 2.** **The amendments to ORS 475A.558 by section 1 of this 2023 Act apply to the**  
15 **performance, or omission to perform, by the Higher Education Coordinating Commission, or**  
16 **by a member or employee of the commission, any duty, function or power relating to**  
17 **psilocybin products on or after the date on which Ballot Measure 109 (2020) became effective**  
18 **under Article IV, section 1 (4)(d), of the Oregon Constitution.**

19 **SECTION 3.** **This 2023 Act being necessary for the immediate preservation of the public**  
20 **peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect**  
21 **on its passage.**

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**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.