

House Bill 4106

Sponsored by Representatives ANDERSEN, MANNIX (Presession filed.)

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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act says that peace officers have certain protections when they use safe holds or force when transporting people who require treatment they may not want. (Flesch Readability Score: 63.3).

Declares that peace officers are immune from criminal and civil liability for the use of restraints or physical force during the transportation of a person subject to involuntary treatment, provided certain criteria are met.

Takes effect on the 91st day following adjournment sine die.

A BILL FOR AN ACT

1 Relating to transportation of persons subject to involuntary treatment; and prescribing an effective
2 date.

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

4 **SECTION 1.** **In addition to any liability limitations provided under ORS 426.335 (6), a**
5 **peace officer may not be held criminally or civilly liable for the use of restraints on or**
6 **physical force against a person in the course of the peace officer's transportation of the**
7 **person under ORS 426.005 to 426.390, 426.701, 427.235 to 427.292 or 430.397 to 430.401 provided**
8 **the peace officer reasonably believes the restraints or use of physical force are necessary to**
9 **protect the person, the officer or the public and the officer uses the restraints or physical**
10 **force in good faith and without malice.**

11
12 **SECTION 2.** **This 2026 Act takes effect on the 91st day after the date on which the 2026**
13 **regular session of the Eighty-third Legislative Assembly adjourns sine die.**

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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.