

House passes public entity liability reform

by Bend_Weekly_News_Sources

SB 311 Raises Liability Limits for State and Local Government over Seven Years

SALEM, Ore. — The Oregon House yesterday voted to pass SB 311, which would raise caps on tort claims brought against the state and local governments.

—“This is a good bill that sets adequate limits for public liability claims,” said Representative Jeff Barker (D-Aloha), Chair of the House Judiciary Committee, which heard the bill. —“SB 311 provides stability and certainty so all stakeholders can operate in a system that is fair and reasonable.”

The bill was largely the product of the Tort Claims Task Force that met over the 2008 interim to tackle the problem of unacceptably low limits for public entity liability. The bipartisan task force included both members of the House and Senate as well as representatives of groups including OHSU, Oregon Trial Lawyers Association, local governments and consumers.

“I commend the hard work of the Task Force, which brought together those with diverse views and forged an acceptable deal,” said Barker.

Under new caps in SB 311, the limits for per claim liability for the State and OHSU will increase from \$200,000 to \$1.5 million in the first year. In each of the following seven years the cap will increase by an additional \$100,000. Liability limits per occurrence will increase from \$500,000 to \$3 million in the first year, and by \$200,000 in each of the next seven years.

“We must remember that OHSU is the Oregon Health and Science University,” said House Democratic Majority Leader Mary Nolan (D-Portland). “OHSU trains doctors that go on to practice medicine across the state, and they need to be able to operate within a consistent framework.”

SB 311 now moves to the Governor’s desk for his signature.

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