

House Bill 2725

Sponsored by COMMITTEE ON BUSINESS, LABOR AND CONSUMER AFFAIRS (at the request of American Council of Engineering Companies of Oregon)

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**.

Limits liability of construction design professional for injuries occurring to worker while on construction project.

A BILL FOR AN ACT

1
2 Relating to construction design professionals; creating new provisions; and amending ORS 30.785.

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

4 **SECTION 1.** ORS 30.785 is amended to read:

5 30.785. (1) A construction design professional who is retained to perform professional services
6 on a construction project, or an employee of the construction design professional in the performance
7 of professional services on the construction project, shall not be liable for any injury to a worker
8 on the construction project that is a compensable injury under ORS chapter 656 [*and that results*
9 *from the failure of the employer of the worker to comply with safety standards on the construction*
10 *project unless the construction design professional by contract specifically assumes responsibility for*
11 *compliance with those safety standards*]. The immunity provided by this section to a construction
12 design professional shall not apply to the negligent preparation of design plans or specifications.

13 (2) As used in this section, "construction design professional" means an architect, registered
14 landscape architect, professional engineer or professional land surveyor.

15 **SECTION 2.** The amendments to ORS 30.785 by section 1 of this 2005 Act apply to causes
16 of action arising on or after the effective date of this 2005 Act.
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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.