

A-Engrossed
House Bill 3159

Ordered by the House April 28
Including House Amendments dated April 28

Sponsored by Representative ACKERMAN; Representatives BARNHART, BRUUN, FLORES, GARRARD, KRIEGER, KRUMMEL, MACPHERSON, SCHAUFLEER, SCOTT, THATCHER, Senators BEYER, MORSE, B STARR, C STARR, VERGER (at the request of Associated General Contractors Oregon-Columbia Chapter)

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.

Exempts certain licensed construction contractors from product liability civil actions brought for damages related to asbestos **if contractor used or installed products containing asbestos pursuant to plans, specifications or directions prepared by or on behalf of owner of project.**

A BILL FOR AN ACT

Relating to product liability civil actions; creating new provisions; and amending ORS 30.907.

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

SECTION 1. ORS 30.907 is amended to read:

30.907. (1) **As used in this section, "contractor" has the meaning given that term in ORS 701.005.**

(2) A product liability civil action for damages resulting from asbestos-related disease shall be commenced not later than two years after the date on which the plaintiff first discovered, or in the exercise of reasonable care should have discovered, the disease and the cause thereof.

(3) **A civil action may not be brought under ORS 30.900 to 30.920 against a contractor if the contractor used or installed products containing asbestos pursuant to plans, specifications or directions prepared by or on behalf of the owner of a project.**

SECTION 2. (1) Except as provided in subsection (2) of this section, the amendments to ORS 30.907 by section 1 of this 2005 Act apply to all causes of action for damages resulting from asbestos-related disease, whether the cause of action arises before, on or after the effective date of this 2005 Act.

(2) The amendments to ORS 30.907 by section 1 of this 2005 Act do not apply to any civil action commenced as described in ORS 12.020 before the effective date of this 2005 Act.

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.