

SENATE AMENDMENTS TO A-ENGROSSED HOUSE BILL 3159

By COMMITTEE ON RULES

July 28

1 Delete lines 4 through 12 of the printed A-engrossed bill and insert:

2 **“SECTION 1.** ORS 30.907 is amended to read:

3 **“30.907. (1)** A product liability civil action for damages resulting from asbestos-related disease
4 shall be commenced not later than two years after the date on which the plaintiff first discovered,
5 or in the exercise of reasonable care should have discovered, the disease and the cause thereof.

6 **“(2) A product liability civil action may not be brought against a contractor, as defined**
7 **in ORS 701.005, for damages resulting from asbestos-related disease if the contractor:**

8 **“(a) Used or installed products containing asbestos pursuant to plans, specifications or**
9 **directions prepared for a project by or on behalf of the owner of the project;**

10 **“(b) Is not the manufacturer or distributor of the products containing asbestos; and**

11 **“(c) Did not furnish the products containing asbestos independent of the provision of la-**
12 **bor.**

13 **“(3) Subsection (2) of this section does not affect a plaintiff’s ability to bring a product**
14 **liability civil action against a contractor if:**

15 **“(a) The contractor substituted a product containing asbestos on a project when the**
16 **plans, specifications or directions for the project prepared by or on behalf of the owner did**
17 **not specify the use or installation of a product containing asbestos; and**

18 **“(b) The owner or the owner’s representative did not expressly direct or consent to the**
19 **substitution of the product containing asbestos.”.**

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