

# Senate Bill 236

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## 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**.

Specifies statute of limitations period for filing claims of unlawful discrimination in places of public accommodations.

## A BILL FOR AN ACT

1  
2 Relating to discrimination in places of public accommodation; creating new provisions; and amending  
3 ORS 659A.875.

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

5 **SECTION 1.** ORS 659A.875 is amended to read:

6 659A.875. (1) Except as provided in subsection (2) of this section, a civil action under ORS  
7 659A.885 alleging an unlawful employment practice must be commenced within one year after the  
8 occurrence of the unlawful employment practice unless a complaint has been timely filed under ORS  
9 659A.820.

10 (2) A person who has filed a complaint under ORS 659A.820 must commence a civil action under  
11 ORS 659A.885 within 90 days after a 90-day notice is mailed to the complainant under ORS 659A.880.

12 (3) A civil action alleging a violation of ORS 659A.145 or 659A.421 must be commenced not later  
13 than two years after the occurrence or the termination of the unlawful practice, or within two years  
14 after the breach of any settlement agreement entered into under ORS 659A.840, whichever occurs  
15 last. The two-year period shall not include any time during which an administrative proceeding was  
16 pending with respect to the unlawful practice.

17 (4) **A civil action under ORS 659A.885 alleging an unlawful practice in violation of ORS**  
18 **659A.403 or 659A.406 must be commenced within one year of the occurrence of the unlawful**  
19 **practice.**

20 [(4)] (5) The notice of claim required under ORS 30.275 must be given in any civil action under  
21 ORS 659A.885 against a public body, as defined in ORS 30.260, or any officer, employee or agent of  
22 a public body as defined in ORS 30.260.

23 [(5)] (6) Notwithstanding ORS 30.275 (9), a civil action under ORS 659A.885 against a public  
24 body, as defined in ORS 30.260, or any officer, employee or agent of a public body as defined in ORS  
25 30.260, based on an unlawful employment practice must be commenced within one year after the  
26 occurrence of the unlawful employment practice unless a complaint has been timely filed under ORS  
27 659A.820.

28 **SECTION 2.** **The amendments to ORS 659A.875 by section 1 of this 2005 Act apply only**  
29 **to conduct giving rise to a cause of action under ORS 659A.403 or 659A.406 that occurs on**  
30 **or after 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.

