

2009 Session Bill Summary: **Bills Presented by the Oregon Law Commission**

During the 2009 Legislative Session, the Oregon Law Commission recommended eight bills to the Legislative Assembly. The following is a brief summary of the bills:

1. SB 512 revises SB 1092 passed during the 2008 special session regarding notice to schools of juveniles charged with certain offenses in juvenile court. SB 512 modifies the content of the notice, adds a notice when a juvenile is adjudicated by the court, and limits the list of acts triggering notice under the statute. The bill also includes several housekeeping provisions.
2. SB 558 modifies Oregon law to conform to recent changes incorporated into Articles 1 and 7 of the Uniform Commercial Code. These include changes to the general provisions of the commercial code as well as the provisions relating to warehouse receipts, bills of lading and other documents of title.
3. SB 559¹ makes a simple but important correction to the proof required when a motion to intervene is filed in a juvenile dependency proceeding. The change is made so that the judge's findings in ORS 419B.116(5)(c) match the proof required in the motion filed under ORS 419B.116(4).
4. SB 561 codifies Oregon's conflicts of law rules for tort claims and other non-contractual causes of action.
5. SB 562 modifies the Law Commission's own enabling statutes. This bill adds two members to the makeup of the Commission, modifies the requirements of the legislative appointments, and shifts duties from Legislative Counsel to Commission staff to reflect current practice.
6. HB 3021 is an overhaul of ORS chapter 401 relating to emergency functions of the government. The bill provides both workers' compensation benefits and protection under the Oregon Tort Claims Act to qualified emergency service workers and search and rescue volunteers. HB 3021 also clarifies statutory provisions relating to emergency health care providers and clarifies that an emergency does not qualify as a single accident or occurrence for purposes of the Oregon Tort Claims Act.
7. HB 3077 revises Oregon's elective share statutes to generally provide an increased amount for a surviving spouse who is written out of a decedent's will. The bill increases the elective share from 25% to 33% based on a sliding scale and broadens the scope of assets used to calculate the elective share, among other things.
8. HB 3220 codifies the procedures and standards regarding fitness to proceed motions in juvenile dependency proceedings, including guidelines for obtaining and

¹ No report was filed to accompany this bill because it was such a minor technical fix.

administering evaluations and administering restorative services. This bill was originally introduced by the Law Commission in the 2007 Legislative Session as SB 320 (2007).