

# Full Bill Summary for Surplus Line Association of Oregon

Measure  
[HB2038](#)

Position  
Neutral

**FAILED**

**Bill Summary**

Prohibits person of any age from operating motor vehicle while using mobile communication device except under certain circumstances. Authorizes suspension of driving privileges for repeat offenses.

Measure  
[HB2190A](#)

Position  
Neutral

**PASSED**  
**EFFECTIVE DATE: JANUARY 1, 2010**  
**CHAPTER 65**

**Bill Summary**

Requires insurer to provide owner written documentation to support valuation of totaled motor vehicle when vehicle is declared total loss. Requires insurer { + , after certain conditions are met, + } to pay amount not in dispute when there is disagreement over value of totaled motor vehicle. Allows owner of totaled motor vehicle to recover reasonable appraisal costs from insurer when final appraisal valuation is greater than insurer's final offer.

Measure  
[HB2233A](#)

Position  
Neutral

**PASSED**  
**EFFECTIVE DATE: JANUARY 1, 2010**

**Bill Summary**

Increases bond requirement for issuance or renewal of commercial driver training school certificate. - } Increases insurance coverage required for applicant or holder of commercial driver training school certificate. Eliminates insurance coverage requirement for commercial driver training school that provides only classroom training.

Measure  
[HB2247](#)

Position  
Neutral

**PASSED**  
**EFFECTIVE DATE: JANUARY 1, 2010**

**Bill Summary**

Allows Oregon Liquor Control Commission to suspend or refuse renewal of liquor license immediately if licensee fails to comply with liquor liability insurance or surety bond requirements. Makes failure to supply proof of compliance at time of license renewal or upon request of commission reason for immediate suspension or refusal of renewal.

**Measure**  
[HB2268A](#)

**Position**  
Neutral

**PASSED**  
**EFFECTIVE DATE: JANUARY 1, 2010**  
**CHAPTER 133**

**Bill Summary**

Requires vehicle repair shop to prepare estimate of work that vehicle repair shop proposes to perform on motor vehicle before beginning work. Specifies contents of estimate. Requires vehicle repair shop to obtain separate, specific authorization for certain types of work if work is estimated to cost motor vehicle owner or owner's designee more than { - \$100 - } { + \$200 + }. Requires vehicle repair shop to take certain actions and prohibits vehicle repair shop from taking certain other actions. Permits owner of motor vehicle to designate, in writing, { + orally or by telephone, + } person as owner's designee. Authorizes enforcement of violation of Act as unlawful trade practice.

**Measure**  
[HB2286](#)

**Position**  
Neutral

**FAILED**

**Bill Summary**

Increases amount of noneconomic damages that may be awarded in civil action seeking damages arising out of bodily injury. Corrects inaccurate reference for definition.

**Measure**  
[HB2325A](#)

**Position**  
Neutral

**FAILED**

**Bill Summary**

Modifies amount of reimbursement due personal injury protection provider when total benefits exceed damages. { + Extends personal injury protection benefit coverage for certain expenses from one year after date of injury to two years after date of injury. + }

**Measure**  
[HB2326A](#)

**Position**  
Neutral

**PASSED**  
**EFFECTIVE DATE: JANUARY 1, 2010**  
**CHAPTER 66**

**Bill Summary**

Increases motor vehicle liability coverage required for property damage and certain personal injury protection benefits.

**Measure**  
[HB2366A](#)

**Position**  
Neutral

**FAILED**

**Bill Summary**

Establishes Residential Structure Lien Assistance Fund. Provides for Construction Contractors Board to administer fund. Continuously appropriates fund moneys to board. Requires board to replenish fund as necessary by imposing surcharge on application for issuance or renewal of residential construction contractor endorsement. Limits surcharge amount. - } { - Allows capped payouts from fund to certain lien claimants if residential structure owner has paid residential construction contractor, but contractor has failed to pay lien claimant. Requires lien claimant accepting payment from fund to file satisfaction of judgment or satisfaction of lien. - } { - Appropriates moneys from General Fund to Residential Structure Lien Assistance Fund for 2009-2011 biennium. Requires repayment from Residential Structure Lien Assistance Fund to General Fund no later than June 30, 2011. Provides for assessment of special surcharge on application for issuance or renewal of residential construction contractor endorsement during 2009-2011 biennium. Provides for first payment from fund to occur during calendar year 2010. - } { - Declares emergency, effective July 1, 2009. - } { + Modifies information to be included in notice of right to construction lien and waiver of right to construction lien. Specifies when court is required to disallow lien. Specifies disallowance procedures. + }

**Measure**  
[HB2369B](#)

**Position**  
Neutral

**PASSED**  
**EFFECTIVE DATE: JANUARY 1, 2010**

**Bill Summary**

Provides that release for bodily injuries obtained by motor vehicle liability insurer within 60 days following accident may not impair ability of insurer to recover personal injury protection benefits by subrogation. { + Requires representative of motor vehicle liability insurer to provide notice to person from whom insurer obtains release for claim of bodily injuries. Specifies contents of notice. Allows person to rescind release within specified amount of time after execution of release. + }

**Measure**  
[HB2370B](#)

**Position**  
Neutral

**PASSED**  
**EFFECTIVE DATE: JANUARY 1, 2010**

**Bill Summary**

Requires motor vehicle insurers to provide reduction in premium charges for coverage of motorcycles under specified circumstances.

**Measure**  
[HB2377B](#)

**Position**  
Neutral

**PASSED**  
**EFFECTIVE DATE: JANUARY 1, 2010**

**Bill Summary**

Prohibits person of any age from operating motor vehicle while using mobile communication device except under certain circumstances.

**Measure**  
[HB2385](#)

**Position**  
Neutral

**FAILED**

**Bill Summary**

Creates offense of smoking in motor vehicle while person under age of 17 is in motor vehicle. Punishes by maximum fine of \$90 for first offense, \$180 for second offense and \$360 for third or subsequent offense.

**Measure**  
[HB2409](#)

**Position**  
Neutral

**FAILED**

**Bill Summary**

Directs Director of Transportation to issue certificate of exemption to person who presents signed statement from physician that person should be exempted from wearing motorcycle helmet. Provides operators and passengers of motorcycles and mopeds medical exemption from requirement to wear motorcycle helmet.

**Measure**  
[HB2434A](#)

**Position**  
No Position

**PASSED**  
**EFFECTIVE DATE: JANUARY 1, 2010**

**Bill Summary**

Requires that certain causes of action related to improvement to { + certain + } large commercial structures be commenced within six years after substantial completion or abandonment of construction, alteration or repair { + unless plaintiff is public body + }. { + Requires that action commence, if plaintiff is public body, within 10 years after substantial completion or abandonment of construction, alteration or repair. + }

**Measure**  
[HB2480](#)

**Position**  
Neutral

**FAILED**

**Bill Summary**

Clarifies that doctrine of contributory negligence is abolished.

**Measure**  
[HB2612](#)

**Position**  
Oppose 2

**FAILED**

**Bill Summary**

Extends statute of ultimate repose for product liability civil actions.

**Measure**  
[HB2631](#)

**Position**  
Neutral

**FAILED**

**Bill Summary**

Provides that consumer contract may not contain provision to renew contract for additional term automatically or unless consumer declares intention to terminate or not renew contract. Provides that provision that purports to establish automatic renewal is void and unenforceable. Requires refund to consumer of money or other consideration paid as consequence of renewal that is void and unenforceable. Permits award of attorney fees to consumer who prevails in litigation or other dispute settlement process. Permits consumer with assent of other party to consumer contract to renew consumer contract by means of affirmative statement in writing.

**Measure**  
[HB2649A](#)

**Position**  
No Position

**PASSED**  
**EFFECTIVE DATE: SEPTEMBER 28, 2009**

**Bill Summary**

Establishes 7.5 percent Oregon alternative minimum tax for taxpayers with federal adjusted gross income exceeding \$125,000. - } { - Applies to tax years beginning on or after January 1, 2010. - } { + Increases tax rates for individuals with between \$125,000 and \$250,000 in taxable income and individuals with over \$250,000 in taxable income for tax years beginning on or after January 1, 2009, and before January 1, 2012. Deletes tax rate for individuals with over \$250,000 in taxable income and decreases tax rate for individuals with over \$125,000 in taxable income for tax years beginning on or after January 1, 2012. Adjusts amounts to be added to federal taxable income for purpose of computing Oregon taxable income. Applies to tax years beginning on or after January 1, 2009. Subtracts from federal taxable income difference in specified deductions for purpose of computing Oregon taxable income. Directs Department of Revenue to waive penalty or interest for taxpayer who underpays or underreports as result of changes to tax law in Act. Applies to tax years beginning on or after January 1, 2009, and before January 1, 2010. + }

**Measure**  
[HB2712](#)

**Position**  
Neutral

**FAILED**

**Bill Summary**

Repeals income tax credit for gross premium tax paid by insurers on fire insurance policies. Applies to tax years beginning on or after January 1, 2010.

**Measure**  
[HB2755A](#)

**Position**  
No Position

**PASSED**  
**EFFECTIVE DATE: JANUARY 1, 2010**  
**CHAPTER 373**

**Bill Summary**

Requires Department of Consumer and Business Services to conduct study of { - reinsurance alternatives for - } { + options available for utilizing reinsurance and other mechanisms for spreading risk in + } individual and small employer group health insurance markets and submit { - proposals - } { + report + } to Legislative Assembly by { - October - } { + December + } 1, 2010.

**Measure**  
[HB2791](#)

**Position**  
Oppose 1

**FAILED**

**Bill Summary**

Permits person to bring action against insurer or other person that commits or performs unfair claim settlement practice. Requires notice to Director of Department of Consumer and Business Services in certain circumstances. Directs court to award attorney fees in certain circumstances. Specifies what may constitute prima facie evidence of unfair claim settlement practice.

**Measure**  
[HB2793](#)

**Position**  
Neutral

**FAILED**

**Bill Summary**

Limits insurance company investments in stocks by aggregate amount and type. Prescribes phase-in period for new limitations.

**Measure**  
[HB2802A](#)

**Position**  
Neutral

**FAILED**

**Bill Summary**

Repeals - } { + Increases + } \$500,000 limit on noneconomic damages recoverable in wrongful death actions and other statutorily created causes of action { + to \$1,500,000 + }. { + Directs State Court Administrator to annually adjust amount of noneconomic damages that may be awarded, beginning in 2010. Specifies method by which administrator must make adjustment. Takes effect on 91st day following adjournment sine die. + }

**Measure**  
[HB2849](#)

**Position**  
Neutral

**FAILED**

**Bill Summary**

Directs State Accident Insurance Fund Corporation to develop recommended state medical malpractice insurance program to be administered by corporation. Establishes task force to report to Legislative Assembly in 2010. Sunsets task force on date of convening of next regular biennial legislative session.

**Measure**  
[HB2852](#)

**Position**  
No Position

**FAILED**

**Bill Summary**

Requires keeper of pit bull to maintain liability insurance. Makes violation punishable by maximum fine of \$180. Directs court to order keeper found in violation to prove compliance within period established by court. Makes failure to prove compliance with order punishable by maximum fine of \$720 per day. Creates crime of maintaining potentially dangerous dog. Makes first offense punishable by maximum of 30 days' imprisonment, \$1,250 fine, or both. Makes second or subsequent offense punishable by maximum of six months' imprisonment, \$2,500 fine, or both. Changes elements for crime of maintaining dangerous dog. Makes most violations punishable by maximum of one year's imprisonment, \$6,250 fine, or both. Makes punishable by maximum of five years' imprisonment, \$125,000 fine, or both, if dog kills person or for second or subsequent offense resulting in serious physical injury. Eliminates potentially dangerous dog behavior from public nuisance statute. Adds menacing behavior to public nuisance statute.

**Measure**  
[HB2854](#)

**Position**  
No Position

**FAILED**

**Bill Summary**

Requires addition to taxable income for Oregon tax purposes of investment income, from life insurance contracts or annuity policies, excluded from federal taxable income because of operation of certain federal law. Applies to tax years beginning on or after January 1, 2010.

**Measure**  
[HB3046](#)

**Position**  
Oppose 2

**FAILED**

**Bill Summary**

Establishes Insurance Rate Review Board in Department of Consumer and Business Services. Requires board review and approval of all insurance rates, rating plans and rating systems filed or used by insurer, rating organization or advisory organization.

**Measure**  
[HB3092](#)

**Position**  
Support 2

**FAILED**

**Bill Summary**

Creates crime of insurance fraud. Punishes by maximum of 10 years' imprisonment, \$250,000 fine, or both. Permits court to order restitution to insurer for value of benefit, payment for loss or recovery obtained illegally. Requires prosecuting attorney to notify Director of Department of Consumer and Business Services and any appropriate regulatory body or professional licensing board of conviction of person for crime of insurance fraud. Permits insurer to bring action to recover value of benefits, payments or recoveries provided or paid to person convicted of insurance fraud, unless and to extent person has made or was ordered to make restitution. Exempts person who provides information in connection with suspected insurance fraud from civil liability for providing information. Requires insurer to report suspected insurance fraud to Department of Consumer and Business Services and to cooperate with investigation and prosecution. Requires insurer to provide certain notices on insurance applications and claim forms.

**Measure**  
[HB3217](#)

**Position**  
No Position

**FAILED**

**Bill Summary**

Prohibits motor vehicle liability insurance policies containing provision requiring arbitration of disputes.

**Measure**  
[HB3289](#)

**Position**  
No Position

**FAILED**

**Bill Summary**

Extends authority of rural fire protection district to include up to five acres of forestland without owner's consent. Applies to tax years beginning on or after July 1, 2010.

**Measure**  
[HB3292](#)

**Position**  
Oppose 2

**FAILED**

**Bill Summary**

Establishes Insurance Surcharge Public Safety Fund. Establishes surcharge on property and motor vehicle insurance policies issued in this state to be credited to fund. Continuously appropriates moneys from fund to Oregon Criminal Justice Commission for disbursement to local governments for purposes of public safety.

**Measure**  
[HB3374](#)

**Position**  
No Position

**FAILED**

**Bill Summary**

Limits ability of insurers to terminate appointment of insurance producers under certain conditions.

**Measure**  
[HB3405A](#)

**Position**  
No Position

**PASSED**  
**EFFECTIVE DATE: SEPTEMBER 28, 2009**

**Bill Summary**

Establishes five tiers of corporate minimum tax on corporations that are not S corporations, based on level of Oregon sales. Prohibits Department of Revenue from disclosing information that is attributable to single corporation or group of fewer than 10 corporations. Establishes Multimodal Transportation and Economic Development Fund. Appropriates moneys to Department of Transportation. Directs corporate excise tax revenue to fund. Authorizes issuance of lottery bonds for transportation projects funded from fund. Specifies allocation of lottery bond proceeds. - } - Applies to tax years beginning on or after January 1, 2010, and to revenue collected for tax years beginning on or after January 1, 2010. - } { + Bases corporate minimum tax for C corporations on amount of Oregon sales. Increases rate of corporate excise tax imposed on C corporations for tax years beginning on or after January 1, 2009. Imposes \$150 entity tax on partnerships. Increases corporate minimum tax imposed on S corporations to \$150. Increases filing fee for specified documents and reports delivered to Secretary of State. Increases filing fee for financing statements and other records related to Uniform Commercial Code. Increases application fee for appointment as notary public. Applies to documents, reports, records and applications filed or made on or after effective date of Act. + }

**Measure**  
[HB3438](#)

**Position**  
No Position

**FAILED**

**Bill Summary**

Permits person to operate motorcycle without motorcycle helmet if person has increased motor vehicle liability coverage for personal injury.

**Measure**  
[SB0124B](#)

**Position**  
Neutral

**PASSED**  
**EFFECTIVE DATE: JANUARY 1, 2010**  
**CHAPTER 482**

**Bill Summary**

Increases penalty for operating motorcycle without motorcycle endorsement. Punishes by maximum fine of \$720. { - Authorizes - } { + Requires + } court to suspend fine if motorcycle operator completes motorcycle education course and obtains motorcycle endorsement within 120 days of date of sentencing.

**Measure**  
[SB0127B](#)

**Position**  
Neutral

**PASSED**  
**EFFECTIVE DATE: JANUARY 1, 2010**  
**CHAPTER 257**

**Bill Summary**

Revises financial responsibility provisions. { - Eliminates mandatory one-year suspension of driving privileges for person involved in uninsured motor vehicle accident. - }

**Measure**  
[SB0145](#)

**Position**  
Neutral

**FAILED**

**Bill Summary**

Authorizes State Board of Geologist Examiners to investigate complaints. Allows individual board members, employees and agents to exercise certain board powers. Specifies board authority to appoint individual registered geologists to perform services for board. Validates past appointments of individual registered geologists to perform services for board. Confers immunity from civil action, criminal prosecution or administrative agency proceeding to person acting in good faith as complainant, witness, technical reviewer or other provider of information to board. Grants immunity to board members, employees, technical reviewers, agents and attorneys for official actions.

**Measure**  
[SB0189](#)

**Position**  
Neutral

**PASSED**  
**EFFECTIVE DATE: JANUARY 1, 2010**  
**CHAPTER 69**

**Bill Summary**

Clarifies obligation of owner of timberland regarding payment of assessments and taxes. Allows governing bodies of two or more counties to establish joint forestland classification committee. Clarifies classification of forestland. Modifies circumstances under which State Forester may classify forestland. Allows State Board of Forestry to adopt rules to implement county forestland classification.

**Measure**  
[SB0204](#)

**Position**  
Neutral

**PASSED**  
**EFFECTIVE DATE: JANUARY 1, 2010**  
**CHAPTER 225**

**Bill Summary**

Revises construction contractor bonding and construction claim statutes to clarify availability of residential and commercial contractor bonds for satisfaction of claims.

**Measure**  
[SB0205A](#)

**Position**  
No Position

**PASSED**  
**EFFECTIVE DATE: JANUARY 1, 2010**  
**CHAPTER 409**

**Bill Summary**

Expands consumer notice requirement to include original purchaser of residential structure or zero-lot-line dwelling. Makes standard contractual term requirement regarding notice summary applicable to zero-lot-line dwelling contracts. Specifies time for contractor to provide recommended maintenance schedule to property owner or original purchaser. Eliminates requirement that provision of maintenance schedule be acknowledged in contract. Eliminates requirement that Construction Contractors Board make minimum information required for recommended maintenance schedule available to construction contractors without charge. Makes warranty offer requirement applicable to newly constructed residential structure or zero-lot-line dwelling sold by contractor. Identifies types of work subject to requirement for written contract. Revises terminology.

**Measure**  
[SB0263](#)

**Position**  
Neutral

**FAILED**

**Bill Summary**

Increases amount of noneconomic damages that may be awarded in civil action seeking damages arising out of bodily injury. Corrects inaccurate reference for definition.

**Measure**  
[SB0281](#)

**Position**  
Neutral

**FAILED**

**Bill Summary**

Requires that parties and attorneys in certain tort actions must participate in some form of dispute resolution within one year after action is filed instead of within 270 days after action is filed.

**Measure**  
[SB0282](#)

**Position**  
Neutral

**FAILED**

**Bill Summary**

Requires that parties and attorneys in certain tort actions must participate in some form of dispute resolution within one year after action is filed instead of within 270 days after action is filed.

**Measure**  
[SB0284B](#)

**Position**  
Oppose 1

**PASSED**  
**EFFECTIVE DATE: JANUARY 1, 2010**  
**CHAPTER 485**

**Bill Summary**

Increases duration of statute of ultimate repose for product liability cases. Exempts from statute of ultimate repose certain civil actions. Applies to causes of action arising on or after effective date of Act. Provides that certain civil actions are not subject to any statute of ultimate repose, including civil action for damages caused by R type metal halide or mercury vapor light bulbs. Applies to causes of action for damages caused by R type metal halide or mercury vapor light bulbs arising { - before, - } on or after effective date of Act { + and before effective date of Act if cause of action meets specified criteria + }.

**Measure**  
[SB0306B](#)

**Position**  
Neutral

**PASSED**  
**EFFECTIVE DATE: JANUARY 1, 2010**  
**CHAPTER 487**

**Bill Summary**

Modifies law allowing award of attorney fees in small tort actions. Allows award when amount pleaded is { - \$10,000 - } { + \$7,500 + } or less. { + Changes amount to \$10,000 or less on January 1, 2012. + } Changes requirement that plaintiff notify defendant of demand for fees 10 days before commencement of action to { - 20 - } { + 30 + } days before commencement of action. Specifies information that plaintiff must include in demand.

**Measure**  
[SB0307](#)

**Position**  
Oppose 2

**FAILED**

**Bill Summary**

Extends statute of ultimate repose for product liability civil actions.

**Measure**  
[SB0308](#)

**Position**  
Neutral

**FAILED**

**Bill Summary**

Repeals statutes that impose liability on plaintiff's attorney for costs awarded to defendant when plaintiff resides out of state or is foreign corporation. Applies to actions filed on or after effective date of Act.

**Measure**  
[SB0309B](#)

**Position**  
Neutral

**PASSED**  
**EFFECTIVE DATE: JANUARY 1, 2010**  
**CHAPTER 488**

**Bill Summary**

Makes certain statements by interpreters admissible as evidence. - } { - Requires custodial interviews of investigations of person felonies to be electronically recorded if interview is by law enforcement agency in law enforcement facility. - } { + Requires custodial interview by peace officer in law enforcement facility to be electronically recorded if interview is conducted in connection with investigation of aggravated murder, crimes requiring imposition of mandatory minimum sentences or crimes requiring adult prosecution of 15-, 16- or 17-year-old offenders. + } Creates exceptions. Creates procedures for using recordings as evidence. { - Makes recordings admissible as evidence under Juvenile Code. - } Exempts recordings from crime of obtaining or attempting to obtain telecommunication or radio communication without consent of participants to communication.

**Measure**  
[SB0311B](#)

**Position**  
Neutral

**PASSED**  
**EFFECTIVE DATE: JULY 1, 2009**  
**CHAPTER 67**

**Bill Summary**

Increases amounts recoverable in tort actions against public bodies. Provides different limits for tort actions against state and for tort actions against other public bodies. Provides for future increases in limits based on Consumer Price Index. Provides for direct review by Supreme Court to determine whether application of limitations is constitutional under facts of specific case. Creates Task Force on Oregon Tort Claims Act. Provides that task force becomes operative January 1, 2014. Sunsets task force March 1, 2015.

**Measure**  
[SB0319](#)

**Position**  
Neutral

**FAILED**

**Bill Summary**

Prohibits person of any age from operating motor vehicle while using mobile communication device. Provides exceptions.

**Measure**  
[SB0329](#)

**Position**  
Neutral

**FAILED**

**Bill Summary**

Prohibits operation of motor vehicle while using mobile communication device except under certain circumstances. Authorizes suspension of driving privileges for repeat offenses.

**Measure**  
[SB0354](#)

**Position**  
Neutral

**FAILED**

**Bill Summary**

Requires insurers to disclose legal consequences of claim settlement to insured. Allows insured 14 days to rescind signed settlement. Requires witness signature to settlement.

**Measure**  
[SB0358](#)

**Position**  
Neutral

**FAILED**

**Bill Summary**

Imposes limits on awards of punitive damages based on nature of action and type of defendant. Provides that employer or principal is not liable for punitive damages by reason of tort of employee or agent unless employer or principal knew that employee or agent intended to commit tort and failed to take reasonable action to prevent commission of tort or employer or principal ratified actions of employee or agent that constitute tort.

**Measure**  
[SB0359](#)

**Position**  
Neutral

**FAILED**

**Bill Summary**

Provides that upon offer of expert scientific evidence at trial, court must first determine whether theory or technique supporting offered evidence is based on scientifically valid principles and is pertinent. Specifies factors court must use in determining whether theory or technique is based on scientifically valid principles. Provides that witness may not testify about scientific, technical or other specialized knowledge if compensation of witness is contingent on outcome of proceedings.

**Measure**  
[SB0361](#)

**Position**  
Neutral

**FAILED**

**Bill Summary**

Provides that class action may be maintained only for members of class who are residents of this state. Provides that order certifying class, or order denying certification of class, is appealable. Requires stay of proceedings in action until final appellate judgment has been entered on appeal.

**Measure**  
[SB0362](#)

**Position**  
Neutral

**FAILED**

**Bill Summary**

Limits contingent fees permitted in negligence claims. Provides that attorney may not contract for or collect contingent fee if amount of fee would result in attorney being paid in excess of \$500 per hour for services provided by attorney.

**Measure**  
[SB0377A](#)

**Position**  
Oppose 3

**PASSED**  
**EFFECTIVE DATE: JANUARY 1, 2010**  
**CHAPTER 422**

**Bill Summary**

Prohibits insurer that issues personal insurance policy from { - increasing - } { + using credit information to increase + } consumer's premium after rerating consumer at consumer's request. { + Specifies that insurer must, in event that consumer qualifies for improved rate, apply improved rate to related policies for which consumer also would qualify for improved rate. Specifies that improved rate is effective on date of request. Allows insurer to credit renewal policy with difference between current rate and improved rate in specified circumstances. + }

**Measure**  
[SB0411](#)

**Position**  
Neutral

**FAILED**

**Bill Summary**

Permits motor vehicle liability insurance policy to limit coverage of insured or member of insured's household to minimum coverage required by law.

**Measure**  
[SB0432](#)

**Position**  
Neutral

**FAILED**

**Bill Summary**

Requires motor vehicle insurance policy to provide discount for principal operator of covered motorcycle who successfully completes motorcycle rider education course.

**Measure**  
[SB0489](#)

**Position**  
Neutral

**FAILED**

**Bill Summary**

Gives enrollee in health benefit plan private cause of action if insurer agrees to be bound by decision of independent review organization and fails to comply

**Measure**  
[SB0973B](#)

**Position**  
No Position

**PASSED**  
**EFFECTIVE DATE: JANUARY 1, 2010**

**Bill Summary**

Revises regulations for life settlement insurance. Imposes regulations on life settlement investment agents. Creates new reporting requirements and disclosure requirements for persons in business of life settlements. Expands regulations on advertising of life settlement contracts, purchase agreements and related products. Increases length of time life insurance policy owner is allowed to rescind life settlement contract. Permits life settlement contracts for policy owner and insured who are not terminally or chronically ill. Limits frequency of contact of insured for purpose of determining insured's health status after execution of life settlement contract. Expands list of prohibited actions by persons in business of life settlements. Prohibits stranger-originated life insurance practices. Subject to exemptions, requires minimum of five-year time period between issuance of life insurance policy and agreement to life settlement contract. Requires life settlement providers and brokers to prepare and implement anti-fraud initiatives. Adds private right of civil action against persons violating Act. Makes violation of Act unlawful trade practice. Makes certain violations of Act subject to criminal prosecution as theft or forgery. { + Requires insurance company to provide notice to life insurance policy owner who is 60 years of age or older that other options for life insurance are available under certain circumstances. Directs Director of Department of Consumer and Business Services to inform public about rights of life insurance policy owners. + }

**Measure**  
[SB5514A](#)

**Position**  
Neutral

**PASSED**  
**EFFECTIVE DATE: JULY 1, 2009**  
**CHAPTER 195**

**Bill Summary**

Approves certain new or increased fees adopted by Department of Consumer and Business Services.

**Measure**  
[SJR0009](#)

**Position**  
Neutral

**FAILED**

**Bill Summary**

Proposes amendment to Oregon Constitution to impose limitations on awards of noneconomic damages in civil actions. Refers proposed amendment to people for their approval or rejection at next regular general election.

**Measure**  
[SJR0022](#)

**Position**  
Neutral

**FAILED**

**Bill Summary**

Proposes amendment to Oregon Constitution to limit awards of noneconomic damages in medical liability actions to \$250,000. Refers proposed amendment to people for their approval or rejection at special election held on same date as next primary election.