

Senate Bill 932

Sponsored by COMMITTEE ON JUDICIARY

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**.

Allows for tolling of causes of action for recovery of medical expenses that are incurred by parent of child and that resulted from same wrongful act giving rise to cause of action that may be tolled by reason of child's age.

A BILL FOR AN ACT

1
2 Relating to causes of action involving persons younger than 18 years of age; creating new pro-
3 visions; and amending ORS 12.160.

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

5 **SECTION 1.** ORS 12.160 is amended to read:

6 12.160. (1) If, at the time the cause of action accrues, any person entitled to bring an action
7 [*mentioned in*] **under** ORS 12.010 to 12.050, 12.070 to 12.250 and 12.276 is [*within the age of*] **younger**
8 **than** 18 years **of age** or insane, the time of such disability shall not be a part of the time limited
9 for the commencement of the action[; *but*].

10 (2) **Notwithstanding subsection (1) of this section**, the period within which the action shall
11 be brought shall not be extended more than five years by any such disability, nor shall it be ex-
12 tended in any case longer than one year after such disability ceases.

13 (3) **If a cause of action is tolled under this section by reason of age, then a cause of**
14 **action for recovery of damages for medical expenses that are incurred by a parent of the**
15 **person and that resulted from the same wrongful act that gave rise to the tolled action may**
16 **be tolled for the same period of time as the tolled action. For the purpose of this subsection,**
17 **“medical expenses” includes reasonable charges incurred for medical, hospital, nursing and**
18 **rehabilitative services and other health care services.**

19 **SECTION 2.** The amendments to ORS 12.160 by section 1 of this 2005 Act apply to causes
20 of action arising on or after the effective date of this 2005 Act.
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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.