

REQUEST FOR PUBLIC COMMENT

Oregon Tort Claims Act Statutory Liability Limits & Wrongful Conviction Compensation Amounts 2023 Annual Adjustments

Oregon Tort Claims Act Liability Limits

The Office of the State Court Administrator (OSCA) has calculated the annual adjustment to the limitations on liability of state and local public bodies for personal injury, death, and property damage or destruction. We propose to adjust the limitations as follows:

Public Body	Claimant(s)	Claim	Current Limit	Adjusted Limit
state	single	injury or death	\$ 2,418,100	\$ 2,490,600
state	multiple	injury or death	\$ 4,836,200	\$ 4,981,300
local	single	injury or death	\$ 806,100	\$ 830,300
local	multiple	injury or death	\$ 1,612,000	\$ 1,660,400
state or local	single	property damage or destruction	\$ 132,200	\$ 136,200
state or local	multiple	property damage or destruction	\$ 661,000	\$ 680,900

Following a public comment period, OSCA will finalize the adjustments, and the new limitations will become effective on July 1, 2023. They will apply to all causes of action arising on or after July 1, 2023, and before July 1, 2024. OSCA makes these adjustments annually, as required by statute.

Wrongful Conviction Compensation

In 2022, the Oregon Legislative Assembly passed Senate Bill (SB) 1584 (Oregon Laws 2022, chapter 105). The measure allows a wrongfully convicted person to file a petition seeking compensation in the Marion County Circuit Court or in the circuit court for the county of conviction, and directs OSCA to adjust these compensation amounts annually according to the methodology described in the measure. The proposed adjusted amounts are listed below:

Compensation for Wrongful Conviction	Current Amount	Adjusted Amount
for each year of imprisonment	\$ 65,000	\$ 67,000
for each additional year served on parole or post-prison supervision or was required to register as a sex offender, whichever is greater	\$ 25,000	\$ 25,800

Following a public comment period, OSCA will finalize the adjustments, and the new compensation amounts will become effective on July 1, 2023. They will apply to all petitions filed on or after July 1, 2023, and before July 1, 2024. OSCA makes these adjustments annually, as required by statute.

Public Comment Period

The public comment period for the proposed Oregon Tort Claims Act liability limits and the wrongful conviction compensation amounts will close at **5:00 p.m. on April 28, 2023**.

A list of past and current limitations on liability of public bodies and wrongful conviction compensation amounts can be found at <http://www.courts.oregon.gov/Pages/tort.aspx>. Public comments can be submitted by clicking on the button below; emailed to Aja.T.Holland@ojd.state.or.us; or conventionally mailed to Aja Holland, Office of the State Court Administrator, Supreme Court Building, 1163 State Street, Salem, Oregon 97301-2563.

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