



2025 LEGISLATION ALERTS

This issue of *inBrief* features some of the significant changes made by the 2025 Oregon Legislature. Bills are listed by area of law. Some bills pertain to more than one practice area, so practitioners are encouraged to read through all the sections. The new legislation took effect January 1, 2026, unless otherwise noted.

Resources and Acknowledgments

The 2025 Oregon Legislation Highlights, published by the Oregon State Bar, is a comprehensive discussion of the new legislation. It is available to download, free of charge, from the Legislative/Public Affairs home page. Go to www.osbar.org/pubaffairs and look for 2025, Oregon Legislation Highlights under Quick Links.

The PLF would like to acknowledge the Oregon State Bar Public Affairs Department for permission to reprint bill summaries from its Legislation Highlights publication. Specific thanks go to the OSB Production Staff—Matt Shields, Editor in Chief, Dominique Rossi, Chief External Affairs Officer, and Monique Eschette, Public Affairs Administrative Assistant.

Some of the bill summaries are also excerpted from the Staff Measure Summaries published by the Oregon State Legislature, Legislative Policy and Research Office. To view all legislation, visit the Oregon Legislative Information System (OLIS) at <https://olis.oregonlegislature.gov/>.



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PLF Welcomes New Public Board Member in 2026

The PLF is pleased to announce the addition of one new member to our board of directors this year. Chris Hemmings, Executive Vice President and Chief Financial Officer of Summit Bank, was appointed as a Public Member director from Eugene, whose five-year term will end in 2030. John Bachofner, who was previously appointed to fill an open Lawyer Member position, was reappointed for a new five-year term that will also end in 2030.

Chris joins current PLF Directors Ali Hilsher (Chair, Eugene), Harshi Waters (Vice Chair, Portland), Brent Smith (Secretary-Treasurer, La Grande), Michelle Johansson (Immediate Past Chair, Portland), Mark Johnson Roberts (Portland), Lori Kaliher (Public Member, Salem), Christine Coers-Mitchell (Portland), and John Bachofner (Camas).

We extend our warmest thanks to outgoing board member Chris Karlin (Public Member, Hood River) for his years of excellent service and financial stewardship.

New PLF Web Page: Retiring From Practice

Retiring from the private practice of law is a significant milestone and an important transition. We are excited to share that the PLF has a new web page with information and resources to help guide you through this process.

From compliance questions to limited legal work scenarios, Extended Reporting Coverage (tail coverage) and Excess Coverage, office closures and client files, you'll find a wealth of information on this page. Whether you are retiring from private practice while maintaining active Oregon State Bar (OSB) status or changing your OSB status to retired, the new web page will help you with your transition checklist. Visit www.osbplf.org/coverage/retirement.html.



Explore New and Updated PLF Practice Aids

We are happy to report that the PLF's Practice Management Assistance Program has completed its biennial comprehensive review of practice aids for Oregon legal professionals. Technology is advancing quickly, employment transitions and retirements are on the rise, and risk management requires constant attention. In response, we have carefully reviewed, revised, and expanded our library of practice aids to ensure they remain relevant and useful to legal professionals.

This evolving collection includes a variety of resources in substantive areas of law and on practice management topics designed to support you at every stage of your practice, from opening your doors to planning your retirement. You'll find checklists, samples, templates, and other resource materials, all with the goal of mitigating the risk of bar complaints and malpractice claims.

You can find all practice aids at osbplf.org > Services > CLEs & Resources > Practice Aids. Search by keyword or browse by category.

General categories include:

- Areas of Law
- Client Engagement and Relations
- Firm Operations

- Firm Relations
- Opening a Law Office
- Technology and Data Management
- Transitions and Closing a Law Practice

We have also added new materials tailored to current challenges and emerging risks, with the practice aid category and subcategory noted:

- Generative AI Policy Development Guidelines for Law Firms (Firm Operations > Office Systems and Procedures)
- Sample Generative AI Policy for Law Firms (Firm Operations > Office Systems and Procedures)
- Checklist for Responding to Requests for the Client File (Firm Operations > File Management)

- Funds Transfer Instructions Verification Checklist (Technology and Data Management > Security and Data Breach)
- How to Create a Pleading Template in Word (Areas of Law > Litigation)
- Oregon Circuit Court Pleading Template (Areas of Law > Litigation)

In total, the PLF currently offers 256 practice aids across 37 subcategories, as well as books, CLEs and more—all free of charge. We hope these diverse and comprehensive resources will help you to build a stronger, more resilient practice. ■

Acknowledgments

The PLF would like to express its heartfelt thanks and appreciation to the following individuals, who spent significant time and energy last year updating the PLF’s practice aids in substantive areas of the law:

Dean Alterman	Eleanor DuBay	Deb Lush	Loren Scott
Christopher Ambrose	Mark Fucile	Tania Manners	Natalie Scott
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Lisa C. Brown	Tabitha Lundberg Koh	Thalia Sady	Xin Xu
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PLF CLEs Presented in 2025

Is 2026 your MCLE reporting year? In our continued support of the Oregon legal community, the PLF offers more than 50 free Continuing Legal Education programs on our website.

To access recorded CLE programs, log in at the PLF website, go to the Services tab, click CLEs & Resources, then select CLEs. The full list will appear. You can filter by topic, credit type, and viewing format, or use the search field to find all PLF resources on a particular topic. The CLEs are available to stream or download as an MP3 file.

The programs below were presented in 2025 and are now available online:

- From Startup to Endgame: Forming and Dissolving Your Law Practice
- Mandatory Abuse Reporting
- LawGPT: Generative AI, ChatGPT, LLMs and the Legal Data-Driven Revolution

- Law Firm Marketing 101: Essential Strategies for Success
- On the Move: Navigating Employment Transitions in the Legal Profession
- Law Firm Accounting Demystified: A Practical Guide for Legal Professionals
- May I Have Your Attention Please: Supporting Legal Professionals with ADHD

Also available are the audio recordings from the 2025 “Learning the Ropes” program.

Visit osbplf.org > Services > CLEs & Resources > CLEs.

inPractice Blog Posts in 2025

The monthly blog from the PLF practice management attorneys (PMAs), *inPractice* offers insightful tips on a variety of law practice topics, including efficiency and productivity; ethics; financial and business operations; legal resources; marketing; firm management; office systems; risk management and malpractice avoidance; and technology tools and data security. All *inPractice* blog posts are available at osbplf.org/blog.

In case you missed any, here is a list of blog posts by the PMA team in the second half of 2025:

- Credit Card Payments on the Law Firm Menu: How to Eat the Surcharges Without Losing Money
- Finding the Balance: Setting Reasonable Legal Fees
- Why One Lock Isn't Enough: Stronger Defenses with Multifactor Authentication (MFA)

- Avoid Getting Into Hot Water by Using Trust Accounting Software
- Tips for Keeping Your Communication Professional and Effective
- Client Onboarding Matters: Three Tips for a Smooth Journey

inPractice
Practical Advice for Oregon Lawyers

Business Law

Contract Preferences in Public Procurement for Employee-Owned Businesses

2025 Oregon Laws Ch. 304 (HB 3646)

HB 3646 adds entities in which employees own at least 50 percent of the ownership interest directly or through an employee stock ownership plan to the list of sources to which a contracting agency may give preference in procuring goods or services for public contracts.

- Allows contract preference if the goods or services cost no more than 5 percent more than other bidding contractors.
- Adds entities in which employees own at least 50 percent of the ownership interest directly or

through an employee stock ownership plan, to the list of sources to which a contracting agency may give preference in procuring goods or services for public contracts.

- Requires documentation of employee ownership in bids and proposals to contracting agencies.
- Applies to procurements that a contracting agency advertises or solicits or, if there is no advertisement or solicitation, a public contract entered on or after the effective date.
- Allows the Attorney General, specified state agencies, and applicable contracting agencies to adopt rules before the operative date.

HB 3646 took effect on September 26, 2025. Operative date January 1, 2026.

Civil Litigation

Appeals from Justice Courts

2025 Oregon Laws Ch. 268 (HB 2460)

HB 2460 reorganizes, streamlines, and clarifies existing statutory provisions that govern appeals from justice and municipal courts.

Jurisdiction of justice and municipal courts

- Clarifies that jurisdiction over animal abuse offenses does not extend to felony cases.
- Requires that a municipal court hearing a challenge on the constitutionality of a charter or ordinance provision first render judgment on constitutionality before addressing the merits of a related claim or charge.

Criminal case processes

- Allows a defendant to transfer a case to a circuit court after an adverse ruling on a pretrial motion with the prosecutor and local court's consent, a procedure akin to a conditional guilty plea.
- Clarifies that in justice and municipal courts, a defendant cannot enter a conditional guilty plea.

Recordkeeping processes

- Standardizes recordkeeping procedures and requirements and designates them as public records.
- Specifies uniform docketing processes and substantive requirements.

Appeals

- Sets out the circuit court’s scope of review, broad appellate authority, and standards for consideration of new evidence and entry of judgment.
- Conditions the right to appeal on the amount in controversy being \$100 or more.
- Streamlines statutes from various ORS chapters regarding local court proceedings and appeals.
- Clarifies the process of appealing and transferring a case from a local court to a circuit court.
- Sets additional procedures regarding the scope of review and entry of judgment on the appeal of civil cases, including default judgments, and on the appeal of misdemeanors and violations, including guilty and no-contest pleas.
- Requires a local court to provide the name and contact information of any person to whom the party must send a notice of appeal on request, along with instructions of how to make such a request.
- Standardizes deadlines, fees, substantive, notice, and service requirements for notices of appeal.
- Incorporates language from ORS 138.085 and 138.105 to require appellants to plead a claim of legal error in their notice of appeal and clarifies the limited scope of an appeal from a guilty or no-contest plea.
- Directs the State Court Administrator to create a model notice of appeal form.
- Preserves the right to seek a writ of review for errors of law by the court issuing judgment, for violation and misdemeanor proceedings, and for orders involving the constitutionality of a statute.

HB 2460 took effect on September 26, 2025. Operative date of January 1, 2026, for all provisions except statutory compilation directions in Sections 30b, 36, and 55.

Remote Location Testimony

2025 Oregon Laws Ch. 23 (HB 2461)

HB 2461 modifies the minimum notice requirement for requesting remote testimony in civil cases to be any time that is sufficiently in advance of the testimony date to allow the opposing party to challenge the good cause factors supporting the request and to establish any factors of prejudice. The measure also modifies the court’s consideration of whether facilities are readily available to include whether reliable facilities or technology are readily available for the court, counsel, parties, and witness.

HB 2461 took effect on January 1, 2026.

Retaliatory Actions for Defamation

2025 Oregon Laws Ch. 275 (SB 180)

SB 180 creates a new basis under ORS 31.150, Oregon’s anti-SLAPP (strategic lawsuit against public participation) statute, for a special motion to strike a claim or lawsuit arising out of a good faith communication regarding an incident of sexual assault. This measure first places the burden on a defendant in a motion to strike to show an objectively reasonable belief that the sexual assault occurred and then shifts the burden to the plaintiff to show a probability of prevailing on their defamation claim, including a probability that the defendant made the subject communication with malice. This measure also requires a defamation plaintiff, regarding a communication about sexual assault, to establish the communication was made with malice as an element of their claim.

SB 180 took effect on January 1, 2026.

Commercial, Consumer, & Debtor-Creditor Law

Consumer Data Privacy

2025 Oregon Laws Ch. 251 (HB 2008)

HB 2008 is an update and expansion of SB 619 (2023). Under the new bill, a controller of a consumer's personal data may not process the personal data for the purposes of targeted advertising or other similar purposes if the controller has actual knowledge that, or willfully disregards whether, the consumer is under 16 years of age.

In addition, the bill prohibits the controller from selling personal data of any consumer under 16 years of age, as well as certain geolocation data for any consumer.

HB 2008 took effect on January 1, 2026.

Motor Vehicle Dealer Franchises

2025 Oregon Laws Ch. 50 (HB 2127)

HB 2127 changes the laws that govern franchise agreements between car dealers and manufacturers, distributors, and importers and amends the actions a manufacturer, distributor, or importer can take within the business relationship. It requires manufacturers, distributors, and importers to use objective criteria, including customer dealer selection, as part of any system used to allocate motor vehicles. It restricts what can be charged for or subscribed to except for communication-based subscriptions. It prohibits coercion or other forms of pressure to force a dealer to install an electric charging station for public use or accept a new plan or system to govern the interactions between dealer and manufacturer, distributor, or importer that is not fair, reasonable, and equitable in respect to other dealers of that manufacturer, distributor, or importer. It gives a manufacturer,

distributor, or importer 20 days to respond to a dealer's request to purchase goods or services from another source for constructing or remodeling a dealer facility and puts the burden on the manufacturer, distributor, or importer to show that the decision was reasonable in a dispute. It makes changes to the requirements for a written schedule of compensation for diagnostic work, repair service, parts, and labor that adequately and fairly compensates a dealer for the work, service, parts, and labor. It declares under what circumstances a franchisor indemnifies a franchisee or former franchisee. The measure applies to franchises where the franchisor and the franchisee enter into an agreement or renew an agreement on or after January 1, 2026.

HB 2127 took effect on January 1, 2026.

Timeshare Sales Agent Licenses

2025 Oregon Laws Ch. 39 (HB 2373)

HB 2373 creates a new timeshare sales agent license, which a person will be required to hold in order to sell or offer to sell timeshares. The new licenses will be issued by the Oregon Real Estate Agency, which is responsible for enforcing the provisions of the act.

HB 2375 took effect on July 1, 2025, for rulemaking purposes, but the licensing requirements became operative on January 1, 2026.

Small Claims Limits

2025 Oregon Laws Ch. 197 (HB 2463)

ORS 46.455 provides that when a defendant receives a notice of a small claim, they have the right to demand a hearing in small claims court. If the claim has a value

of over \$750, then the defendant has a right to instead demand a jury trial. However, in some cases it may not be clear to the defendant what is included in that \$750 calculation.

HB 2463 updates the statute to clarify that pre-judgment or pre-award interest, fees, and other costs are included in that \$750 calculation. This bill makes this change both for claims brought in circuit court and in justice court.

In addition, HB 2463 extends the time for the defendant to respond to a notice of small claim from 14 days to 30 days.

HB 2463 applies to claims filed in the small claims department on or after January 1, 2026.

Vehicle Financing Agreements

2025 Oregon Laws Ch. 81 (HB 3178)

In many cases, vehicle dealers will make deals to sell vehicles that are contingent on a financial institution financing the sale on the terms agreed to by the buyer and the vehicle dealer. Under former law, the dealer had 14 days to find a financial institution to finance the transaction, and if they were unable to do so they must cancel the deal.

HB 3178 shortens this timeframe to 10 days and requires the vehicle dealer to provide the buyer with additional notifications explaining the buyer's rights and the dealer's obligations.

HB 3178 took effect on January 1, 2026.

Home Solicitations

2025 Oregon Laws Ch. 160 (HB 3605)

ORS 83.710 is the Oregon Home Solicitation Sales Act. In most cases, this act gives consumers in home solicitation sales the right to cancel a transaction within three business days of completing the transaction. The act applies both to in-person sales transactions at a person's home and, in many cases, telephone solicitation sales.

HB 3605 makes violations of ORS 83.710 to 83.750 an unlawful practice under ORS 646.608.

HB 3605 took effect on September 26, 2025.

Telephone Solicitations

2025 Oregon Laws Ch. 580 (HB 3865)

HB 3865 makes a number of changes to Oregon law related to telephone solicitations. Among the major changes, the bill amends ORS 646.561 to include text messages in the definition of "telephone solicitation." The bill also makes it an unlawful practice under ORS 648.608 for a person to make a telephone solicitation after 8:00 p.m. or before 8:00 a.m., to make more than three solicitations during a single 24-hour period, or for the caller to falsify their identity or the purpose of the call.

HB 3865 took effect on January 1, 2026.

Consumer Data from Use of Motor Vehicle

2025 Oregon Laws Ch. 163 (HB 3875)

HB 3875 specifies that the Oregon Consumer Privacy Act applies to motor vehicle manufacturers and any affiliates that control or process personal data from a consumer's use of a motor vehicle or any component of a motor vehicle, regardless of the number of consumers whose personal data they possess.

HB 3875 took effect on September 26, 2025.

Federal Home Loan Banks

2025 Oregon Laws Ch. 102 (SB 102)

SB 102 provides that a court may not stay or prohibit a federal home loan bank from exercising its rights to collateral pledged by an insurer-member that is subject to a delinquency proceeding. It requires a federal home loan bank that exercises such a right to repurchase outstanding capital stock that exceeds the amount an insurer-member must hold as a minimum investment if specified conditions are met. It also prohibits

a receiver for an insurer-member, including the Department of Consumer and Business Services, from voiding any transfer of money or monies or property under the terms of a federal home loan bank security agreement. The measure declares an emergency and was effective on passage.

SB 102 took effect on May 19, 2025.

Uniform Commercial Code

2025 Oregon Laws Ch. 33 (SB 167)

SB 167 updates Oregon’s Uniform Commercial Code (UCC) to address digital assets and transactions of electronic money.

- Defines relevant terms.
- Sets criteria for who has control of the digital asset for determining who can transfer or enforce a right to the asset.
- Modifies terminology throughout the Oregon UCC to incorporate electronic methods of communicating and transacting, such as electronic records and signatures.
- Corrects an inadvertent omission in the voidable transactions law.
- Excludes from the measure transactions that were entered into before the effective date of the act or security interests perfected before the measure’s effective date and allows a one-year grace period for others.

SB 167 took effect on January 1, 2026.

Disclosure Requirements for Online Sales

2025 Oregon Laws Ch. 311 (SB 430)

SB 430 generally provides that a person who sells goods or services online must display the full cost for the purchase, including applicable fees or charges that the purchaser must pay to complete the purchase.

The bill provides a number of exceptions to this requirement, including taxes and fees that are imposed

on the transaction by a government body, and actual shipping charges incurred by the seller to ship the goods to, or provide the services to, the purchaser.

The bill also exempts financial institutions, mortgage bankers and brokers, and some licensees of the Department of Consumer and Business Services from this requirement, to the extent that those entities are subject to federal disclosure requirements under several specific federal statutes.

SB 430 applies to transactions that conclude on or after January 1, 2026.

Self-Storage Facility Liens

2025 Oregon Laws Ch. 222 (SB 433)

Under existing law, the owner of a self-storage facility may place a lien on personal property stored in a unit when rent is left unpaid. When this happens, the owner must attempt to notify the owner of a foreclosure and sale. After the foreclosure, the owner of the facility is allowed to dispose of the property if they estimate the value to be \$300 or less. If the value is higher, a foreclosure sale is required, which requires notices published in a newspaper. SB 433 raises this limit from \$300 to \$1000.

SB 433 took effect on January 1, 2026.

Medical Debt

2025 Oregon Laws Ch. 343 (SB 605)

SB 605 generally prohibits the reporting of medical debt to a consumer reporting agency and prohibits consumer reporting agencies from reporting an item in a consumer credit report that they know or should know is medical debt.

The bill defines “medical debt,” and includes debt incurred for medical treatment, other than cosmetic surgery, that is either owed directly to a health care provider or that is owed on a credit card that was specifically offered for the payment of medical services.

Wrongfully reporting medical debt under this bill is

classified as an unlawful practice under ORS 646.608. The bill permits that in an action for violation of this provision a court may, in addition to any other relief, declare the medical debt to be void and uncollectable.

SB 605 took effect on January 1, 2026.

Towing Motor Vehicles

2025 Oregon Laws Ch. 416 (SB 1036)

SB 1036 limits the authority of a commercial tower to tow motor vehicles without first having been requested

to do so by a vehicle or property owner. Previously, ORS 98.853 listed a number of reasons a tower could independently tow a motor vehicle, including that it blocked or prevented access by emergency vehicles, or blocked in a parked motor vehicle. SB 1036 eliminated most of these bases listed in this statute.

The bill also places restrictions on a tower's authority to tow from a parking facility, including requiring that the facility contact the tower to initiate the tow, as opposed to the tower merely informing the facility prior to initiating the tow.

SB 1036 took effect on January 1, 2026.

Construction Law

Construction Defect Statutes of Limitations

2025 Oregon Laws Ch. 578 (HB 3746)

HB 3746 reforms the process for handling construction defect claims, particularly for homeowners associations (HOAs) and condominium associations.

Tort Action Limitations

- Defines “substantial completion” as the earliest of the following events:
 - The date when the contractee accepts that the construction, alteration, or repair of the improvement—or its designated part—has reached a state of completion when it may be used or occupied for its intended purpose;
 - The date a public body issues a certificate of occupancy for the improvement; or
 - The date when the owner begins to occupy or use the improvement for its intended purpose.
- Specifies the time limits within which a tort action claim must be initiated by an HOA or association of unit owners concerning defects on a structure as:
 - filed within seven years after either substantial completion, alteration, repair, or

abandonment; or

- if defect is discovered later—more than six but less than seven years after substantial completion or abandonment—one year from the date of discovery to initiate the action.
- Specifies that these time limits on tort actions for construction defects apply only to structures for which the declaration was first recorded on or after the effective date of this measure, and excludes condominiums for which each unit owner is responsible for the interior and exterior of their own unit.

Tort Action Processes

- Requires approval at a board of directors meeting before a homeowners or condominium association starts or intervenes in litigation concerning a defect. Specifies board of directors meeting requirements and the contents and timelines for sending a notice to each owner and every person it considers responsible for the defect.
- Specifies processes following a notice of defect, including:
 - Allows, after the notice of defect is delivered from the board of directors to the contractor, subcontractor, or supplier in question, the contractor, subcontractor, or supplier 30

- days to send a written request to conduct an inspection of the residence in question, and allows that they may have a technical or construction expert attend this inspection;
- Requires that, upon receipt of the notice of defect, the contractor, subcontractor, or supplier must send the owner a written response no later than 14 days after conducting the above inspection of the residence; or, if no inspection is conducted, 90 days after receiving the notice of defect or the secondary notice;
- Specifies that the offer for payment of monetary compensation to the owner for some or all of the acknowledged defects and any incidental damage must be equal to cost of remediation;
- Allows the owner a choice between accepting the payment or allowing the contractor, subcontractor, or supplier to perform the remediation;
- Requires contractor, subcontractor, or supplier to offer, within 30 days of the initial response, a firm payment amount for consideration by the owner;
- Provides that if the owner wishes to accept the offer for payment, but disputes the amount, the parties may select a mediator to resolve the dispute; if no mediator can be agreed upon, the administrator of the Construction Contractors Board may direct a professional mediation association or service to select a mediator;
- Provides that if the owner selects the option of payment, the owner shall make a good faith effort to have a construction contractor complete the remediation;
- Allows the general contractor to perform remediation or pay monetary compensation if the contractor, subcontractor, or supplier fails to act in accordance with the accepted offer;
- Extends the right of the sender of secondary notice to commence a court action against the recipient of that notice until the owner's right to act against the sender expires;

- Applies only to notices of construction defect that are delivered by an owner on or after the effective date of the measure and to any resulting secondary notices.

Moisture Inspections

- Directs a board of directors to cause an independent inspection of the condominium for moisture intrusion before the end of the second year following the condominium's substantial completion (paid for from the reserve account for maintaining, repairing, and replacing common elements) and before the end of the sixth year following the condominium's substantial completion.
- Requires the results of the independent inspections, along with the name of the person who performed the inspection, to be delivered to the homeowners or condominium association.
- States that these independent inspections are required only in condominiums for which the declaration has been recorded on or after the effective date of this measure.

HB 3746 took effect on January 1, 2026.

Construction Contractor Civil Liability for Unpaid Wages

2025 Oregon Laws Ch. 287 (SB 426)

SB 426 provides that an owner of property, and a direct contractor who contracted with that owner, are jointly and severally liable in a civil action for unpaid wages to unrepresented employees of either the contractor or a subcontractor working on the project.

The bill also invalidates any agreement to waive, release, or indemnify an owner or a direct contractor from liability related to such actions.

The bill defines relevant terms and permits an owner or direct contractor to bring a civil action against a subcontractor for recovery of monies paid to that subcontractor related to unpaid wages.

SB 426 took effect on January 1, 2026.

Criminal Law

Unlawful Dissemination of an Intimate Image

2025 Oregon Laws Ch. 116 (HB 2299)

HB 2299 modifies the crime of Unlawful Dissemination of an Intimate Image. ORS 163.472 prohibits the dissemination of “an image of another person” engaged in sexual conduct. However, this statute does not cleanly apply in the situation of a digitally created image that is intended to depict a real person.

HB 2299 modifies the definition of “image” used in the statute to include “a digitally created, manipulated or altered depiction that is reasonably realistic.”

HB 2299 took effect on January 1, 2026.

Definition of Custody

2025 Oregon Laws Ch. 118 (HB 2465)

HB 2465 expands the definition of “custody” under ORS 162.135. Under the prior definition, custody referred to actual or constructive restraint by a peace officer. HB 2465 expands this definition to include actual or constructive restraint by a parole and probation officer. This new definition applies to the crimes of Escape in the first, second, and third degree.

The changes to ORS 162 contained in the bill took effect on May 22, 2025.

Guilty Except for Insanity Defense

2025 Oregon Laws Ch. 119 (HB 2471)

HB 2471 is a legislative response to the Oregon Supreme Court’s decision in *State v. Meiser*, 372 Or. 438 (2024). In that case, the court considered ORS 161.295, which defines the “guilty except for insanity”

defense. HB 2471 substantially changes the definition to provide that:

- But for a qualifying mental disorder, the person would have had such substantial capacity;
- A mental disorder other than a qualifying mental disorder is not the primary cause of the lack of substantial capacity; and
- The lack of substantial capacity is not the result of voluntary intoxication in combination with a qualifying mental disorder, a mental disorder other than a qualifying mental disorder, or both.

HB 2471 applies to conduct occurring on or after May 22, 2025.

Criminal Law Omnibus Bill

2025 Oregon Laws Ch. 375 (HB 2473)

HB 2473 makes a large number of unrelated changes to criminal law in Oregon.

- The bill modifies the crime of Harassment under ORS 166.065 by eliminating one of the definitions of the crime: “Publicly insulting such other person by abusive words or gestures in a manner intended and likely to provoke a violent response.” Subjecting another person to offensive physical contact remains included in the definition of Harassment, as does conveying certain false reports.
- The bill modifies provisions relating to the authentication of records and modifies timing requirements for when a prosecutor must provide grand jury recordings to a defendant under ORS 132.270.
- The bill amends ORS 161.566 to allow a district attorney to elect to treat a misdemeanor as a Class A violation at any time during the pendency of a criminal case, and it similarly

amends ORS 161.570 to allow a district attorney to elect to treat a Class C nonperson felony as a Class A misdemeanor at any time during the pendency of a criminal case.

HB 2473 took effect on June 24, 2025.

Family Sentencing Alternative Program

2025 Oregon Laws Ch. 484 (HB 2555)

HB 2555 makes permanent what was previously called the Family Sentencing Alternative Pilot Program. Under that program some nonviolent primary parents facing prison sentences were diverted from prison and were instead placed under supervision and required to participate in various treatment and other programs geared towards parenting and families.

The bill makes a number of changes to facilitate the pilot program's conversion to a permanent program, including limiting the program to defendants whose presumptive sentence is at least one year, who are eligible for downward departure, and who are either pregnant at the time of sentencing or are the parent of and have physical custody of a minor child.

HB 2555 took effect on July 17, 2025.

Individually Identifiable Health Information Disclosure

2025 Oregon Laws Ch. 58 (HB 2812)

HB 2812 exempts individually identifiable health information of individuals under the Psychiatric Security Review Board's ("the Board") jurisdiction from disclosure under public records laws except in limited circumstances.

- Exempts a client's individually identifiable health information from public records disclosure under ORS 192.311 to 192.478. Defines "client" as a person who is or was previously under the jurisdiction of the Board pursuant to ORS 161.315 to 161.351.

- Defines "individually identifiable health information" by reference to ORS 179.505, to mean health information created by a health care services provider, identifiable to an individual, and relating to their health or health care.
- Prohibits the disclosure and use of the information except as authorized or permitted by the Board. Authorizes the Board to use or disclose the information under various circumstances:
 - To meet statutory obligations;
 - For criminal background checks related to fire arms;
 - To meet judicial or administrative proceeding requirements;
 - For law enforcement purposes;
 - In emergencies; or
 - For purposes relating to a deceased client.
- Requires the Board to adopt rules specifying the circumstances when the above exceptions apply.
- Provides that a client's "personal representative" (a person who may legally make decisions or communicate the client's decisions on their behalf) cannot be denied access to the information due to nonpayment.
- Clarifies that individuals other than the client or their personal representative who are given access to the information under the section cannot disclose the information to others except as described in the measure.

HB 2812 took effect on January 1, 2026.

Domestic Violence

2025 Oregon Laws Ch. 271 (HB 2975)

HB 2975 amends ORS 132.586 and provides that an admission or a finding that a crime constitutes domestic violence is not an element of the crime for merger purposes.

HB 2975 took effect on September 26, 2025.

Child Sexual Abuse

2025 Oregon Laws Ch. 447 (HB 3582)

HB 3582 creates a new definition that distinguishes child abuse from child sexual abuse. The bill eliminates the statute of limitations for civil claims based on child sexual abuse. The statute of limitations for other forms of child abuse remains unchanged. Similarly, the bill eliminates the statute of limitations for claims based on conduct that constitutes sexual assault of an adult.

In both cases, the bill eliminates the word “knowingly” from provisions relating to third-party liability in such causes of action.

HB 3582 took effect on June 26, 2025, but generally provides that claims arising before the effective date of the act remain subject to the previous statute of limitations unless a final judgment has been entered.

Monetary Obligations in Criminal Cases

2025 Oregon Laws Ch. 395 (HB 3825)

HB 3825 amends provisions relating to the expiration of certain court-ordered monetary obligations in criminal cases for less than one ounce of marijuana.

- Provides that monetary obligations in a judgment of conviction for violating a city or county ordinance or state statute prohibiting the possession of less than one ounce of marijuana occurring prior to July 1, 2015, in a municipal court or justice court, that have not yet expired under the provisions of ORS 18.194, expire on the measure’s effective date.
- Provides that a person whose monetary obligations have expired under this provision shall be considered to have completed, fully complied with and performed the sentence of the court with, respect to those monetary obligations for purposes of ORS 137.225 or 475C.397 or any other statute authorizing the court to set aside the judgment of conviction.

HB 3825 took effect on September 26, 2025.

Assaults in the Workplace

2025 Oregon Laws Ch. 327 (SB 170)

SB 170 elevates specified occupational assaults in the fourth degree from Class A misdemeanors to Class C felonies.

- Amends ORS 163.160(3) to add subsection (e), elevating an assault in the fourth degree to a Class C felony when:
 - The assault is committed against an individual who is performing their official duties as part of their employment; and
 - The assailant has two or more previous assault convictions for occupational assault in the first, second, third, or fourth degree, including equivalent crimes committed in another jurisdiction.

SB 170 took effect on January 1, 2026.

Doxing

2025 Oregon Laws Ch. 417 (SB 1121)

SB 1121 creates the crime of Unlawful Disclosure of Private Information as a new Class B misdemeanor.

The new crime is implicated if:

- A person, with the intent to stalk or injure another person, or to cause damage to another person’s property, knowingly causes the other person’s personal information to be disclosed; and
- The other person is stalked or injured, or the other person’s property is damaged, as a result of the disclosure.

Under the bill, “personal information” means:

- A person’s home address, personal electronic mail address, personal phone number, or Social Security number;
- Contact information for a person’s employer;

- Contact information for a family member of a person;
- Photographs of a person’s child; or
- Identification of the school that a person’s child attends.

The provisions of SB 1121 related to the crime of Unlawful Disclosure of Private Information took effect on January 1, 2026.

Sex Offender Classification

2025 Oregon Laws Ch. 187 (SB 1122)

SB 1122 provides that the State Board of Parole and Post-Prison Supervision may consider only the risk that a sex offender presents at the time of release, sentencing, or discharge when determining the risk notification level assigned to that particular offender.

This bill was a response to the Oregon Court of Appeals decision in *Thomsen v. Board of Parole*, 333 Or App 703 (2024).

SB 1122 took effect on May 27, 2025.

Disability Law

Mental Health Services for Individuals with Disabilities

2025 Oregon Laws Ch. 313 (SB 729)

SB 729 extends to all public bodies an existing prohibition on denying access to mental health services on the basis that an individual has an intellectual or development disability (IDD); the

prohibition currently applies to the Oregon Health Authority, education providers, licensed medical providers and practitioners, community mental health programs, and coordinated care organizations. The measure expands the prohibition to apply to all individuals regardless of age, rather than individuals up to age 21.

SB 729 took effect on September 26, 2025.

Environmental Law

Land Use Board of Appeals Fees

2025 Oregon Laws Ch. 173 (SB 817)

SB 817 increases the following fees for filings with the Land Use Board of Appeals (LUBA):

- Filing a Motion to Intervene from \$100 to \$200;
- Filing a Notice of Intent to Appeal from \$300 to \$350.

Removes provision allowing the awarding of filing fees of a notice of intent to appeal to the local government, special district, or state agency if the petitioner does not file a petition for review.

SB 817 took effect on January 1, 2026.

Estate Planning & Administration / Probate

Estate Tax Treatment of Natural Resource Property

2025 Oregon Laws Ch. 577 (HB 3630)

HB 3630 modifies the Estate Tax Natural Resource Exemption by expanding ownership requirements for qualified property to include ownership or beneficial interests in qualified property by businesses or trusts. It changes the look-back and look-forward requirements of decedent and heir participation in a qualified natural resource business using qualified property. It allows qualified property to be replaced in an exchange for other qualified property. It also excludes qualified property from the ratio used to calculate tax for estates with property both inside and outside Oregon. It applies to estates of decedents dying on or after July 1, 2025.

HB 3630 took effect on September 26, 2025.

Simple Estates

2025 Oregon Laws Ch. 342 (SB 15)

SB 15 defines “manufactured home” for the purpose of small estate affidavits, excludes manufactured homes from the fair market value limits of \$75,000 for personal property, and includes manufactured homes in the fair market value limit of \$200,000 for real property and manufactured homes.

SB 15 took effect on January 1, 2026.

Establishing Parentage in Probate Proceeding

2025 Oregon Laws Ch. 34 (SB 168)

The measure makes several changes to estate laws, including how to show parentage for intestate succession, what property is excluded from the simple estate affidavit limit, when the harmless error law applies, and what kind of discovery is allowed in probate cases.

Specifically, SB 168:

- Reverts the test for establishing parentage for intestate succession back to whether the person can meet either of two criteria, instead of both.
- Excludes the value of property from the simple estate affidavit value limit when the property is given by a will to a trustee of a trust created by the decedent.
- Adds a requirement to the harmless error law that the writing be signed by the decedent or at the decedent’s direction at any time during the decedent’s lifetime, excluding electronic records or images. Applies the change to writings of a decedent who died on or after the measure’s effective date.
- Adds requests for admissions to the discovery tools that can be used in contested probate proceedings.

SB 168 took effect on January 1, 2026.

Family & Juvenile Law

Temporary Protective Orders

2025 Oregon Laws Ch. 122 (HB 2613)

ORS 107.097(3) and ORS 107.139(1) allow a court to enter an ex parte emergency temporary restraining order providing safe custody or parenting time protections when a child is in “immediate danger.” However, “immediate danger” is not a defined term under either of these statutes, which can lead to confusion and inconsistency in how and when these orders are issued.

HB 2613 provides that when determining whether a child is in immediate danger sufficient to justify the entry of a temporary protective order, the court shall consider whether, absent the temporary order, the child is at present risk of physical harm, severe psychological damage, sexual abuse, severe neglect, or other similar harms. The bill provides that the court may not find that a child is in immediate danger based solely on a parent’s homelessness, illness or poverty.

HB 2613 took effect on January 1, 2026.

Expunction of Juvenile Records

2025 Oregon Laws Ch. 487 (HB 2677)

HB 2677 directs county juvenile departments to file an application for expunction regarding specified misdemeanors and felonies, sets associated judicial criteria and procedures, and adapts related statutes.

Automatic expunction criteria and initiation:

- Requires county juvenile departments to file an application for expunction with the juvenile court on an Individual’s behalf within 90 days following the later of:
 - Four years after termination;
 - The individual’s 18th birthday; or

- Upon receiving a request to file an application for expunction from an individual who is over 18 years old on January 1, 2026.

- Prohibits a juvenile department from filing an expunction application regarding first-degree arson, first- or second-degree robbery, second-degree assault, second-degree kidnapping, or child pornography.
- Requires notice of the expunction application to be served on the county district attorney.
- Directs the district attorney to file an objection within 30 days if they reasonably believe the expunction criteria are not satisfied.
- Directs a juvenile court to grant expunction without a hearing within 60 days upon satisfaction of the following criteria:
 - The individual is 18 years or older;
 - Four years have passed since the individual’s most recent termination;
 - The individual was subject to juvenile court jurisdiction for specified violent misdemeanors or felonies;
 - Since termination of the individual’s sentence, parole, or probation, they have not been convicted of a Class A misdemeanor or felony;
 - No juvenile court, criminal proceeding, or investigation is pending against the individual;
 - The individual does not owe restitution; and
 - The individual was not convicted as a juvenile offender subject to a mandatory minimum sentence and not treated as an adult in a criminal court proceeding, unless the conviction was set aside.

Notice to victims

- Requires the juvenile department to make reasonable efforts to notify victims of crimes committed before the measure’s effective date when the associated individual applies for expunction.

- Requires the district attorney or juvenile department to warn a victim before the crime is adjudicated that the accused could someday become eligible for expunction.

Clarification of existing law

- Clarifies provisions in Senate Bill 519 (2023), codified as ORS 419A.261 and associated statutes ORS 419A.260 to 419A.271, including venue, notice, and the scope of expungable offenses, disallowing expunction if the individual was subject to a crime with a mandatory minimum sentence or treated as an adult (unless the individual was not convicted or the conviction was set aside).
- Requires a juvenile court, upon request, to appoint counsel for an individual in any expunction proceeding under ORS 419A.260 to 419A.271 for the application and proceedings.
- Reserves the right of an individual to apply for expunction under ORS 419A.262 even if the automatic expunction criteria are not satisfied.

Applicability and effective dates

- Applies the amended automatic expunction process, set out in ORS 419A.261(4), to records created on or after the effective date.
- Applies the rest of the measure to records created before, on, or after the effective date.

HB 2677 took effect on September 26, 2025.

Oregon Child Support Program

2025 Oregon Laws Ch. 99 (HB 3348)

HB 3348 makes a number of primarily technical changes to the Oregon Child Support Program. Some of the more substantive changes in the bill include:

- The bill permits some notices, orders, and other legal documents regarding child support to be

provided to the recipient by email rather than first class mail with the prior agreement of the recipient.

- The bill provides that a later-issued child support judgment supersedes an earlier judgment if it involves the same child and parents, and if the later-issued judgment changed the child support obligation from one parent to another but did not expressly terminate the earlier obligation.
- The bill allows service of legal documents on an obligee at an address at which the obligee receives public assistance.

HB 3348 took effect on January 1, 2026.

Dependent Care Tax Credits for SNAP Recipients

2025 Oregon Laws Ch. 128 (SB 64)

SB 64 directs the Department of Human Services (DHS) to request a waiver from the United States Department of Agriculture (USDA) that would prevent monthly advance payments of the dependent care tax credit from impacting eligibility determinations for the Supplemental Nutrition Assistance Program (SNAP).

Specifically, the measure:

- Directs DHS to apply to USDA for a waiver for federal requirements under 7 U.S.C. 2014(d) (18) to exclude monthly advance payments of the dependent care tax credit established in ORS 315.264 from SNAP eligibility determinations.
- Requires DHS to submit a waiver application within 90 days of the effective date.

SB 64 took effect on September 26, 2025. Sunsets January 2, 2031.

Uniform Parentage Act

2025 Oregon Laws Ch. 592 (SB 163)

SB 163 makes a large number of changes to Oregon law surrounding parentage. The bill incorporates provisions from the Uniform Parentage Act (UPA) into Oregon law. The bill revises and adds various definitions, establishes and refines parentage presumptions, updates procedures for adjudicating parentage, and addresses parentage in cases involving assisted reproduction and surrogacy.

Additionally, it amends provisions related to child support, adoption, intestate succession, and judicial procedures to conform with these changes.

SB 163 took effect on September 26, 2025.

Minimum Age for Marriage

2025 Oregon Laws Ch. 224 (SB 548)

SB 548 raises the minimum age to marry in the State of Oregon from 17 to 18 years of age. The bill makes

a number of conforming changes throughout ORS Chapter 106, including repealing ORS 106.060, which previously addressed conditions that would apply when a minor married.

SB 548 took effect on January 1, 2026.

Department of Human Services as a Party in Dependency Proceedings

2025 Oregon Laws Ch. 262 (SB 815)

SB 815 modifies when the Oregon Department of Human Services (ODHS) is a party to juvenile dependency court proceedings. It specifies that ODHS is a party to the proceedings when the department is the petitioner, the department has taken the child into protective custody, the department has been granted temporary custody of the child, or the child has been committed to the legal custody of ODHS. The measure specifies that a child-caring agency is a party in the proceedings if it has temporary custody of the child.

SB 815 took effect on January 1, 2026.

Insurance Law

Explanations for Premium Increases on Policy Renewals

2025 Oregon Laws Ch. 351 (HB 2563)

HB 2563 requires an insurer that renews an existing qualified policy with an insured to give a clear and reasonable written explanation for any increase in the premium the insured must pay upon renewal upon the insured's request. A qualified policy means a homeowner insurance or personal insurance policy. The measure describes what a clear and reasonable written explanation must include. It requires an insurer, on an offer to renew and on the first invoice following renewal, to include a prominent and conspicuous statement that tells the insured that the

insured may ask the insurer or the insurer's agent in writing for an explanation of any premium increase. An insurer must respond to the insured's written request within 20 days after receiving the request. It permits the Department of Consumer and Business Services (DCBS) to make rules prescribing the form, format, and content of the written explanation and statement. The measure also requires DCBS to adopt rules requiring periodic data reporting from insurers and rules to implement the requirements of this measure. The measure applies to qualified policies that an insurer renews on or after operative date.

HB 2563 took effect on September 26, 2025; operative on September 1, 2026.

Labor & Employment Law

Professional Employer Organizations

2025 Oregon Laws Ch. 280 (HB 2236)

A Professional Employer Organization (PEO), sometimes called a Worker Leasing Company, is a company that contracts with another company to provide administrative services to help run the client-company. For example, a small business might contract with a PEO to handle payroll services for the small business.

HB 2236 allows a professional employer organization to choose to treat employees that it provides to a client employer either as employees of the PEO itself or as employees of the client employer under Oregon Unemployment Insurance law (ORS Chapter 657).

HB 2236 took effect on September 26, 2025.

Employer Assistance Division

2025 Oregon Laws Ch. 22 (HB 2248)

HB 2248 establishes the Employer Assistance Division (EAD) within the Bureau of Labor and Industries (BOLI). The purpose of the division is to assist businesses in complying with laws that are enforced by BOLI. The EAD will be permitted to issue advisory opinions, as well as offer education, training, and other guidance to the public.

The bill also gives BOLI the authority to enter into settlement agreements with regard to violations of law over which BOLI has authority.

HB 2248 took effect on September 26, 2025.

Unemployment Insurance Tax Credit

2025 Oregon Laws Ch. 563 (HB 2271)

HB 2271 creates a nonrefundable tax credit against an employer's unemployment insurance payroll tax that is applicable exclusively to tax year 2025. The tax credit applies to any employer whose tax rate for the 2025 calendar year was at least two and a half percent less than their tax rate in 2024.

The credit is intended to serve as a "correction" for some businesses that may have paid a higher than anticipated tax rate during 2022 through 2024 due to provisions in HB 3389 (2021), which was passed during the period of high unemployment insurance claims during the COVID-19 pandemic.

HB 2271 took effect on January 1, 2026, and is repealed on January 2, 2027.

Agricultural Employee Rest Periods to Express Breast Milk

2025 Oregon Laws Ch. 24 (HB 2541)

Oregon law generally requires employers to provide rest periods for employees to express milk during a child's first 18 months. However, to the extent reasonably possible, the employee is required to time these rest periods to coincide with rest and meal breaks that are otherwise provided by the employer. Some agricultural workers, however, are exempt from Oregon laws that would otherwise require mandatory rest and meal breaks.

HB 2541 provides that an individual employed in agriculture as a hand harvest or pruning laborer, and

who is paid on a piece rate basis, must be provided with unpaid breaks to express breast milk in the workplace.

HB 2541 took effect on May 7, 2025.

PERS Benefit Computations

2025 Oregon Laws Ch. 490 (HB 2728)

When the Public Employees Retirement System (PERS) receives an application for a retirement allowance or benefit from a PERS member, it is required to provide the member with specific information about the benefits to which the member will be entitled upon retirement.

HB 2728 adds a requirement that the information provided by PERS must include detailed information about the number of overtime hours performed by the member during the period used to calculate the member's final average salary and the number of overtime hours applied to the calculation of the member's final average salary.

HB 2728 took effect on September 26, 2025.

Professional Employer Organizations

2025 Oregon Laws Ch. 78 (HB 2800)

HB 2800 makes numerous changes throughout the Oregon Revised States to change the term "worker leasing company" to "professional employer organization." The bill also adds definitions of this and other related terms to Chapters 656 and 737.

HB 2800 took effect on September 26, 2025.

Public Employee Collective Bargaining

2025 Oregon Laws Ch. 270 (HB 2944)

HB 2944 requires the Employment Relations Board to impose civil penalties against public bodies that violate specific designated provisions of the Public Employee Collective Bargaining Act.

Specifically, the new requirement applies to an entity that is found to have violated, for a second or subsequent time:

- A requirement that a public employer provide name and date of hire; contact information; and employment information about employee in appropriate bargaining within designated timelines; or
- A right to receive full amount of remittance for deductions authorized by employees.

HB 2944 took effect on January 1, 2026.

BOLI Enforcement Actions

2025 Oregon Laws Ch. 379 (HB 2957)

HB 2957 prohibits an employer from entering into an agreement with a former, current, or prospective employee that has the effect of shortening a statute of limitations regarding a violation over which BOLI has enforcement authority. Violation of this requirement is an unlawful employment practice under the bill.

The bill also revises BOLI notice requirements when BOLI investigates an alleged unlawful practice. Under the bill, BOLI is required to issue a notice to a complainant informing them of their right to file a civil action, either one year after the complaint was filed, or sooner if BOLI dismisses the complaint.

HB 2957 took effect on June 24, 2025.

Oregon Employment Department Housekeeping Bill

2025 Oregon Laws Ch. 43 (HB 3021)

HB 3021 makes several changes to ORS Chapters 657 and 657B. The changes in the bill are largely procedural and intended to conform Oregon Employment Department (OED) practices to existing law.

The changes include replacing outdated references to divisions within the OED, clarifying the

responsibilities of and funding for OED’s director, and updating outdated terminology. In addition, the bill includes language making explicit that provisions of Unemployment Insurance law that do not conform to federal law have no force and effect.

HB 3021 took effect on September 26, 2025.

Requalifying for Unemployment Benefits

2025 Oregon Laws Ch. 382 (HB 3024)

In Oregon, a worker can be disqualified from receiving Unemployment Insurance (UI) benefits if they are terminated, quit, or don’t take a new job without a qualifying reason. In order to become requalified to receive UI benefits in the future, the individual must earn at least four times more than their weekly UI benefit amount from their prior job.

In addition, after the individual has requalified for UI benefits, their maximum UI benefit is reduced by eight times their weekly benefit. This has the effect of reducing the total length of time that the individual can receive UI benefits by approximately eight weeks—from a maximum of 26 during a 52-week period, down to 18 weeks. HB 3024 eliminates this additional 8-week penalty after an individual has requalified for benefits.

HB 3024 took effect on September 26, 2025.

Unlawful Age Discrimination in Employment

2025 Oregon Laws Ch. 125 (HB 3187)

HB 3187 makes several changes to Oregon law relating to unlawful age discrimination.

First, the bill makes it an unlawful employment practice for an employer, prospective employer, or employment agency, prior to an initial interview or prior to making a conditional offer, to request an applicant’s age or date of birth or when the

applicant attended or graduated from any educational institution. The bill provides exceptions to this restriction for bona fide occupational qualifications or to comply with other provisions of law.

Second, the bill eliminates a previous provision that permitted an apprenticeship program to decline to select an apprentice because the apprentice would be 70 years of age before completing the program.

HB 3187 took effect on September 26, 2025.

Falsely Impersonating a Union Representative

2025 Oregon Laws Ch. 307 (HB 3789)

HB 3789 makes it unlawful for a person to falsely impersonate a union representative. The bill defines falsely impersonating a union representative to mean that the individual used fraud or misrepresentation to make a verbal or written communication that purports to be authorized by a labor organization, but that was not, and to do so with the intent to undermine or interfere with the operations of the labor organization, or otherwise negatively impact the labor organization.

The bill provides that a labor organization has the sole authority to designate a legitimate union representative. The bill also provides that a union representative may bring an action in civil court alleging a violation of this law.

HB 3789 took effect on January 1, 2026.

Peer Support Services for Public Safety Workers

2025 Oregon Laws Ch. 309 (HB 3929)

HB 3929 makes several changes to Oregon law in order to ensure that peer support communications to public safety officers are privileged and confidential. The bill specifies definitions of “public safety agency,” “peer support services recipient,” and other terms

necessary to establish what is a qualifying peer support communication.

The bill provides that oral or written communication that satisfies the requirements of the bill is not admissible in any judicial proceeding, administrative proceeding, arbitration proceeding, or other adjudicatory proceeding. The bill likewise provides that such communications may not be disclosed by the participants.

HB 3929 took effect on January 1, 2026.

Paid Leave Oregon and Oregon Family Leave Act Housekeeping Bill

2025 Oregon Laws Ch. 85 (SB 69)

SB 69 makes a large number of primarily technical modifications to Paid Leave Oregon and to the Oregon Family Leave Act (OFLA). Among the changes in this bill, it specifies that if a claimant files an appeal with Paid Leave Oregon, the statute of limitations period for complaints filed with BOLI, as well as for civil actions related to that complaint, are tolled while the appeal with Paid Leave Oregon is pending.

The bill allows an employee to begin taking OFLA leave without prior notice to their employer when leave is required because of the closure of the employee's child's school or child care provider due to a public health emergency, unless the declaration of the public health emergency was issued by the Governor at least 30 days before the start of the leave.

SB 69 took effect on September 26, 2025, however some provisions of the bill did not become operative until January 1, 2026.

Construction Contractor Civil Liability for Unpaid Wages

2025 Oregon Laws Ch. 287 (SB 426)

SB 426 provides that an owner of property, and a

direct contractor who contracted with that owner, are jointly and severally liable in a civil action for unpaid wages to unrepresented employees of either the contractor or a subcontractor working on the project.

The bill also invalidates any agreement to waive, release, or indemnify an owner or a direct contractor from liability related to such actions.

The bill defines relevant terms and permits an owner or direct contractor to bring a civil action against a subcontractor for recovery of monies paid to that subcontractor related to unpaid wages.

SB 426 took effect on January 1, 2026.

Public Employer Policies Regarding Language Pay Differentials

2025 Oregon Laws Ch. 169 (SB 731)

Oregon's pay equity law makes it an unlawful employment practice for an employer to pay wages or other compensation to any employee at a rate greater than other employees of a protected class for work of a comparable character. However, Oregon's pay equity law does provide an exception to this rule by allowing an employer to pay employees for work of comparable character at different compensation levels if the difference in compensation levels is based on a bona fide factor that is related to the position and is based on one or more specified factors.

Senate Bill 731 specifies that when a public employer's employment policies provide a pay differential for a public employee's use of bilingual or multilingual skills in performing assigned duties, the policies must also provide a pay differential for an employee's use of American Sign Language in performing assigned duties.

SB 731 took effect on January 1, 2026.

Post-Retirement Death Benefits Under PERS

2025 Oregon Laws Ch. 70 (SB 852)

SB 852 modifies statutory provisions within the Public Employees Retirement System (PERS) affecting post-retirement death benefits.

- **Section 1**

Requires that when a member of the individual account program within PERS elects to receive installment payments and dies before all amounts in the employee and vested employer accounts are paid, the remaining account balance is paid in a lump sum distribution.

- **Section 2**

Specifies that when the additional monthly death benefit payable to surviving spouses or children of specified police officers and firefighters is less than \$200 per month, the beneficiary will receive an actuarial lump sum equivalent in lieu of the additional monthly death benefit.

- **Section 3**

Removes provision that allows an Oregon Public Service Retirement Plan (OPSRP) member to change from a survivorship benefit to a single life option when the “relationship” with the beneficiary is terminated after the member retires.

- **Section 4**

Permits surviving spouse of a Tier One or Tier Two PERS member who is the member’s beneficiary to elect to receive the amount referred to in ORS 238.390, or elect Option 2 or Option 3 under ORS 238.305, and designate themselves as the beneficiary if the member had attained normal retirement age and retired from service, but died prior to the deadline of the time an election could be made by the member to change the member’s service retirement benefit option, regardless of whether the member had already made an election.

SB 852 took effect on January 1, 2026.

Transparency Concerning Employer Deductions from Wages

2025 Oregon Laws Ch. 235 (SB 906)

SB 906 requires an employer to provide all employees, at the time of hire, a written explanation of earnings and deductions shown on the required itemized statements provided to employees on regular paydays and at other times there are payment of wages, salary, or commission. Specifies what the written explanation must include and how an employer may provide this information to employees. The measure requires employers to review and update this information by January 1 of each year. It directs the Bureau of Labor and Industries (BOLI) to develop and make available to employers a model written guidance document that employers may use and customize to satisfy this requirement. The measure permits the BOLI Commissioner to assess a civil penalty not to exceed \$500 against any person who violates this written explanation requirement.

SB 906 took effect on January 1, 2026.

Unemployment Benefits for Striking Workers

2025 Oregon Laws Ch. 432 (SB 916)

Historically, employees who were out of work due to a labor dispute were not eligible for Unemployment Insurance (UI) benefits. SB 916 significantly changes this situation by providing that:

- An individual who is otherwise eligible for UI benefits may receive benefits, or waiting week credit, for any week that the individual was unemployed due to a lockout, and;
- An individual who is otherwise eligible for UI benefits is only disqualified from receiving UI benefits or waiting week credit during the first week of a strike. After the first week, the individual may receive benefits or waiting week credit as normal.

Additionally, the bill includes provisions requiring school districts to deduct future wages from some employees if the individual receives UI benefits to which they were not entitled or receives back pay from their employer for the time period covered by the benefits.

SB 916 took effect on January 1, 2026.

Deductions from Public Employee Wages

2025 Oregon Laws Ch. 602 (SB 968)

SB 968 specifies that when a public employee receives an erroneous overpayment of wages in an amount

greater than the employee's entitlement, the public employer may deduct the overpayment from the public employee's wages provided that the deduction is for an overpayment that occurred in the 364 days immediately before the date the public employer provides to the public employee a written statement containing specified information. The measure requires the public employer to provide this written statement at least ten calendar days before making the deduction. Makes conforming amendment by repealing ORS 292.063.

SB 968 took effect on January 1, 2026.

Landlord-Tenant & Real Property

Surpluses from the Disposition of Foreclosed Property

2025 Oregon Laws Ch. 475 (HB 2089)

Under former Oregon law, a county was not required to pay a former owner the surplus proceeds of a property tax foreclosure sale. After a county used sale proceeds to reimburse itself for delinquent property taxes and other allowable costs, it could elect to distribute any surplus proceeds to taxing districts. County allowable costs included the redemption penalty and fee, property maintenance and supervision, and legal costs.

HB 2089 provides for a process, through the Unclaimed Property program of the Oregon State Treasury, to claim the surplus proceeds of real property that has been foreclosed, deeded to a county, and sold to pay delinquent property taxes. Requires county to provide a notice of surplus to certain parties. Requires notices of foreclosure proceeding, redemption period expiration, and surplus to include

a referral to the Unclaimed Property. Requires notices of foreclosure proceeding and redemption period expiration to include certain information on existing foreclosure avoidance programs, property tax deferral programs, and other property tax relief programs available to the owner. Defines "surplus" and "claimant." Allows person other than a claimant to file a claim based on a valid lien or debt.

Establishes multi-step process to sell property in which a county may retain or transfer non-residential property for public benefit, must attempt to sell residential property by placing it in a public high-bid auction if not sold by a real estate agent, and may forgive delinquent property taxes and retain or transfer residential property after the second failed attempt to sell in auction. Establishes a minimum auction bid of two-thirds of property fair market value, which decreases to the amount of delinquent property taxes after the first failed attempt to sell in auction. Requires property appraisal, by a licensed appraiser unaffiliated with counties, for non-residential property a county retains or transfers and

for residential property which has a real market value that exceeds \$250,000. Defines “fair market value.” Clarifies allowable costs a county may charge against the property. Applies to claims for which a claimant received notice of redemption period expiration on or after May 25, 2023.

HB 2089 took effect on September 26, 2025.

Early Termination By Tenant

2025 Oregon Laws Ch. 115 (HB 2134)

ORS 90.427(5) specifies the circumstances under which a landlord may terminate either a month-to-month tenancy or a fixed term tenancy after more than one year of occupancy. In general, the landlord must provide 90 days of notice and cite to one of several qualifying reasons for termination.

HB 2134 provides that if, during a fixed term tenancy, the landlord proves the 90-day notice under ORS 90.427(5) that they are terminating the fixed term tenancy on or after the expiration of the fixed term, the tenant may give their own notice that they are terminating the tenancy on a date not later than 30 days after the tenant gives notice.

The notice issued by the tenant may have the effect of terminating the tenancy before the expiration of the fixed term. The bill also provides that no rent is due by the tenant after the date designated in their notice and after the tenant has actually returned possession of the premises to the landlord.

HB 2134 applies to fixed-term rental agreements entered into on or after January 1, 2026.

Maximum Rent Increases

2025 Oregon Laws Ch. 387 (HB 3054)

HB 3054 sets maximum allowable rent increases for mobile home parks and floating home marinas. For facilities with more than 30 spaces, the bill generally limits rent increases to a maximum of 6% per year.

For facilities with 30 or fewer spaces, the maximum remains at the lesser of 10% or 7% plus CPI.

The bill offers an exception for facilities with more than 30 units, however. If the rent increase is needed to pay for significant repair or upgrades to infrastructure, and the facility has received the written approval of 51% of tenants, the maximum increase is 12%.

HB 3054 took effect on September 1, 2025.

Habitability

2025 Oregon Laws Ch. 127 (HB 3378)

HB 3378 adds to the list of requirements under ORS 90.320 to which residential landlords must comply in order to maintain a dwelling unit in a habitable condition.

Under the bill, a landlord may use a software application on a tenant’s phone as one means of accessing a dwelling unit, but must offer another means of unlocking the unit that does not require a phone or other personal electronic device, such as a key fob or physical key.

HB 3378 took effect on January 1, 2026.

Deposits for Residential Tenancies

2025 Oregon Laws Ch. 392 (HB 3521)

HB 3521 makes a number of changes related to a landlord’s ability to require a deposit on a residential dwelling unit. Under the bill, a landlord may only take a deposit to secure a rental agreement after they have approved a tenant’s application for the unit, and after providing the tenant with relevant disclosures.

If the tenant and landlord then enter into a rental contract, the landlord must either apply the deposit towards monies owed under the contract, or return the deposit to the applicant immediately.

If a rental agreement is not executed due to a failure by the tenant to comply with the agreement to execute,

then the landlord may retain the deposit. However, if the applicant rejects the agreement due to material defects relating to the premise’s habitability, the landlord must return the deposit within five business days. Likewise, if a landlord fails to execute a rental contract after agreeing to do so, they must return any deposit within five days.

HB 3521 applies to deposits received on or after January 1, 2026.

Removal of Squatters

2025 Oregon Laws Ch. 356 (HB 3522)

“Squatter” is a term defined in ORS 90.100(47) as a person occupying a dwelling unit who is not entitled to do so under a rental agreement, and who is not a holdover from a previous rental agreement. Squatters are not considered tenants under Oregon law.

When a tenant needs to be evicted or otherwise removed from property, it is most common for a property owner to use the forcible entry and detainer (FED) provisions of Chapter 105 to remove the person. Because squatters are not tenants, however, FED provisions have not been available. This has forced property owners to go through a more lengthy and expensive ejectment action to remove squatters.

HB 3522 will instead allow a property owner to post a 24-hour notice to vacate a property, after which an FED action will be available if the squatter remains.

HB 3522 took effect on January 1, 2026.

Sale of Leased Residential Property

2025 Oregon Laws Ch. 291 (SB 586)

Under Oregon law, a landlord may not terminate a tenancy after the first year of occupancy without cause, unless one of several qualifying reasons applies. One of those qualifying reasons is that the landlord has accepted an offer to purchase the property from

a person who intends in good faith to occupy the property as their primary residence. In this situation, the landlord can terminate the tenancy by providing 90-days’ notice to the tenant.

SB 586 provides an additional option to the landlord, whereby the landlord may terminate the tenancy with only 60 days’ notice if the landlord pays to the tenant an amount equal to one month’s rent, in addition to any amount the landlord already owed to the tenant.

SB 586 took effect on September 26, 2025.

Landowner Immunity

2025 Oregon Laws Ch. 220 (SB 179)

SB 179 makes permanent the 2024 temporary changes to immunity for landowners who allow public use of land without charge for recreational purposes.

- Allows local governments included in ORS 174.116 to opt into ORS 105.668, limiting liability from ordinary negligence claims arising from the use of trails or structures on public easements or unimproved rights of way by foot, equine, bicycle, or other nonmotorized means.
- Adds immunity to ORS 105.688 for improved paths, trails, roads, and other rights of way that are used to access land for recreational purposes and limits immunity for an improvement, design, or maintenance that was completed in a manner constituting gross negligence or reckless, wanton, or intentional misconduct, or for which the actor is strictly liable.
- Adds running, walking, and bicycling to the nonexclusive list of outdoor activities in the definition of recreational purposes in ORS 105.672.
- Applies the measure’s changes to causes of action filed on or after the effective date.

SB 179 took effect on January 1, 2026.

Immigration Status Discrimination in Real Estate Transactions

2025 Oregon Laws Ch. 226 (SB 599)

SB 599 prohibits rental housing discrimination based on immigration or citizenship status.

- Prohibits a landlord from inquiring into the citizenship status of an applicant, tenant, or household member except as necessary to comply with federal laws subsidizing housing.
- Directs a landlord to accept any combination of the following from a tenant or applicant as reasonably necessary to verify name, birthdate, and physical appearance:
 - A Social Security card;
 - A certified birth certificate;
 - A permanent resident card;
 - A visa;

- An Individual Taxpayer Identification Number card; or
- A passport, driver's license, or other government-issued identification.

- Prohibits a landlord from rejecting a housing application for an applicant's failure to provide a Social Security number or prove lawful presence in the United States.
- Prohibits a landlord from disclosing or threatening to disclose immigration or citizenship status with the intent or purpose to harass, intimidate, or retaliate.
- Renders a landlord's violation subject to the landlord-tenant act, ORS 90.390.
- Allows the victim of housing discrimination to seek equitable and injunctive relief along with costs and attorney fees under ORS 659A.885.

SB 599 took effect on May 28, 2025.

Military & Veteran Law

Preference to Servicemembers in Public Employment

2025 Oregon Laws Ch. 137 (SB 808)

SB 808 adds current and former members of the Oregon National Guard to existing hiring preferences for veterans of the Armed Forces of the United States applying to or seeking promotion in civil service positions.

SB 808 took effect on January 1, 2026.

Taxation

Property Tax Exemptions for Multiunit Rental Housing

2025 Oregon Laws Ch. 193 (HB 2078)

In 2017, the legislature passed HB 2377. That bill allowed the governing body of a city or county to adopt an ordinance or resolution granting a property tax exemption to newly rehabilitated or constructed multiunit rental housing. Under the 2017 bill, the new program would have sunsetted on January 2, 2027. HB 2078 extends the sunset date on HB 2377 (2017) to January 2, 2033.

HB 2078 took effect on September 26, 2025.

Standing for Associations in Oregon Tax Court

2025 Oregon Laws Ch. 250 (HB 2119)

HB 2119 provides for standing for an association or organization to seek declaratory relief in the Oregon Tax Court if a member of the association or organization is adversely affected, the interests sought to be protected are germane to the purpose of the association or organization, and the claim does not require that the members of the association or organization who are adversely affected participate in the proceedings in the Oregon Tax Court.

HB 2119 took effect on January 1, 2026.

Registered Tax Aide Certification

2025 Oregon Laws Ch. 347 (HB 2338)

HB 2338 establishes a certification for a person who qualifies as a registered tax aide that can be

issued by the State Board of Tax Practitioners. It establishes criteria for the issuance and renewal of the certification. It also establishes that a registered tax aide can assist a tax consultant in the preparation of tax returns and limits a tax consultant to employing and supervising at most, two registered tax aides at the same time. The measure allows the Board to refuse to issue or renew, or to suspend or revoke, a certificate for specified conduct and adds the disciplinary processes for registered tax aides to current law.

HB 2338 took effect on January 1, 2026.

Historic Property Special Assessment Limits

2025 Oregon Laws Ch. 209 (HB 3190)

HB 3190 reactivates and modifies the historic property special assessment program. Limits eligible property to improved real property used or held to produce income. Allows property classified as historic property to have an unlimited number of consecutive or non-consecutive 10-year special assessment terms. Disallows cities or counties from prohibiting a second 10-year special assessment term by resolution or ordinance. Allows a preservation plan to be completed more than 24 months before the date the application is filed. Requires the owner to have property insurance which covers, at minimum, the real market value of the property. Sunsets the part of the program allowing for a consecutive second 10-year term on July 1, 2031 (application deadline). Sunsets the modified program on July 1, 2032 (application deadline).

HB 3190 took effect on September 26, 2025; applies to property tax years 2026-27 and after.

Homestead Property Tax Deferral Program

2025 Oregon Laws Ch. 449 (HB 3712)

HB 3712 increases the household income limit for the Homestead Property Tax Deferral program from \$60,000 (2025-26 tax year) to \$70,000. Increases the homestead real market value limit to 150% of the county median real market value for homeowners who have residency of less than 15 years.

HB 3712 took effect on January 1, 2026; applies to property tax years 2026-27 and after.

Uniform Statute of Limitations for DOR Tax Programs

2025 Oregon Laws Ch. 371 (SB 799)

SB 799 establishes uniform deadlines for taxpayers to request a refund or for the Department of Revenue (DOR) to adjust tax due for tax programs administered by DOR. Replaces numerical statute references to tax programs with descriptive reference to tax programs administered by DOR.

SB 799 took effect on September 26, 2025; applies to tax years beginning January 1, 2022, or later for the Corporate Activity Tax, and to tax years beginning on or after January 1, 2025, for all other tax programs.

Torts

Liability of the Psychiatric Security Review Board

2025 Oregon Laws Ch. 57 (HB 2807)

HB 2807 immunizes the Psychiatric Security Review Board from liability for injury to property or persons and for death of persons, for conducting Board hearings required by law and performing other specified Board functions. The measure immunizes the Board from liability for the actions or omissions of persons who are or were under the jurisdiction of the Board while those persons are on conditional release or have been discharged from the Board's jurisdiction.

- Immunizes the Psychiatric Security Review Board from liability for claims of injury to persons or property or claims of death of persons resulting from acts or omissions related to these Board functions:
 - Conducting hearings required by law to determine:
 - status, release, or commitment of a person under the Board's jurisdiction

- sex offender reporting or classification
- restoration of right to possess firearms
- sex offender classification assessment
- Making oversight and supervision decisions.
- Modifying or terminating conditional release plans.
- Immunizes the Board from claims of injury to persons or property or claims of death of persons resulting from the acts or omissions of persons who are or were under the Board's jurisdiction while those persons are on conditional release or have been discharged from the Board's jurisdiction, except for cases of "willful or wanton misconduct" by the Board.
- Applies to all claims arising on, before, or after the measure's effective date, except for causes of action for which a final judgment has been entered before that date.

HB 2807 took effect on January 1, 2026.

Published Defamatory Statements

2025 Oregon Laws Ch. 393 (HB 3564)

HB 3564 updates Oregon's defamation statutes to include electronic media and requires a publisher of an electronic newspaper, magazine, or periodical to investigate a demand for retraction within two weeks. The measure requires an electronic publisher to immediately place a link to any resulting retraction or correction on any webpage containing or previously containing the subject defamatory statement.

HB 3564 took effect on January 1, 2026.

Transmission of Intimate Images

2025 Oregon Laws Ch. 359 (HB 3766)

HB 3766 provides a civil cause of action against a person who was 18 years of age or older when committing the act of transmitting an image depicting sexual conduct or uncovered human genitals to the plaintiff without the plaintiff's consent and with the intent to harass, degrade, or humiliate the plaintiff. It requires that the plaintiff was in fact harassed, degraded, or humiliated, and a reasonable person would be harassed, degraded, or humiliated by the transmission. The measure permits the plaintiff to recover the greater of \$500 or the plaintiff's economic and noneconomic damages not to exceed \$10,000, as well as attorney fees. It bars actions against third-party internet sites and communication services and actions against health care providers transmitting an intimate image for a legitimate medical purpose. The measure applies to claims arising on or after the measure's effective date.

HB 3766 took effect on January 1, 2026.

Landowner Immunity

2025 Oregon Laws Ch. 220 (SB 179)

SB 179 makes permanent the 2024 temporary changes to immunity for landowners who allow public use of land without charge for recreational purposes.

- Allows local governments included in ORS 174.116 to opt into ORS 105.668, limiting liability from ordinary negligence claims arising from the use of trails or structures on public easements or unimproved rights of way by foot, equine, bicycle, or other nonmotorized means.
- Adds immunity to ORS 105.688 for improved paths, trails, roads, and other rights of way that are used to access land for recreational purposes and limits immunity for an improvement, design, or maintenance that was completed in a manner constituting gross negligence or reckless, wanton, or intentional misconduct, or for which the actor is strictly liable.
- Adds running, walking, and bicycling to the nonexclusive list of outdoor activities in the definition of recreational purposes in ORS 105.672.
- Applies the measure's changes to causes of action filed on or after the effective date.

SB 179 took effect on January 1, 2026.

Retaliatory Actions for Defamation

2025 Oregon Laws Ch. 275 (SB 180)

SB 180 creates a new basis under ORS 31.150, Oregon's anti-SLAPP (strategic lawsuit against public participation) statute, for a special motion to strike a claim or lawsuit arising out of a good faith communication regarding an incident of sexual assault. This measure first places the burden on a defendant in a motion to strike to show an objectively reasonable belief that the sexual

assault occurred and then shifts the burden to the plaintiff to show a probability of prevailing on their defamation claim, including a probability that the defendant made the subject communication with malice. This measure also requires a defamation plaintiff, regarding a communication about sexual assault, to establish the communication was made with malice as an element of their claim.

SB 180 took effect on January 1, 2026.

Workers' Compensation

Litigation Costs for Prevailing Claimants

2025 Oregon Laws Ch. 152 (HB 2799)

HB 2799 increases the limit on witness fees, expenses, and costs for a claimant who prevails against a denial of a workers' compensation claim to no more than \$3,500 unless the claimant demonstrates extraordinary circumstances justifying payment of a greater amount. It provides methodology for adjusting the amount that may not be exceeded without demonstrating extraordinary circumstances. Amount shall be adjusted annually on July 1 by the percentage increase, if there is any, in the average weekly wage as most recently computed by the Oregon Employment Department and rounded to the nearest multiple of \$100.

HB 2799 took effect on January 1, 2026.

Lump Sum Payments of Permanent Partial Disability Awards

2025 Oregon Laws Ch. 25 (HB 2802)

HB 2802 requires an insurer to make a lump sum payment of permanent partial disability award if a worker waives reconsideration of the notice of closure or the award has become final by operation of law. Provides circumstances when a lump sum payment is not required. The measure clarifies that the lump sum payment is not required if the insurer or self-insured employer timely requests reconsideration and the reconsideration proceeding has not been completed.

HB 2802 took effect on January 1, 2026.



New Nationwide Reporting Requirement for Non-Financed Residential Real Estate Transactions

Effective March 1, 2026, the Residential Real Estate Rule requires certain professionals involved in real estate closings and settlements to submit reports to the Financial Crimes Enforcement Network (FinCEN) regarding certain non-financed transfers of residential real estate to legal entities or trusts. FinCEN is a bureau of the U.S. Department of the Treasury. Attorneys are among the possible reporting persons, and the potential penalties for noncompliance include both civil and criminal penalties.

The final rule, 89 Federal Register 70258 (August 29, 2024), can be found at www.federalregister.gov/documents/2024/08/29/2024-19198/anti-money-laundering-regulations-for-residential-real-estate-transfers.

FinCEN Residential Real Estate Home page: www.fincen.gov/rre

Residential Real Estate Filing Resources: www.fincen.gov/rre-filing-resources

- Real Estate Report Filing Instructions
- Real Estate Report E-Filing Methods
- Technical Specifications for Batch XML Filers
- BSA E-Filing Account Creation

FinCEN Residential Real Estate FAQs: www.fincen.gov/rre-faqs

FinCEN Residential Real Estate Quick Reference Guides: www.fincen.gov/rre-quick-reference-guides

- Do I Need to File a Report?
- Introduction to Residential Real Estate Reporting
- Exceptions Quick Reference Guide
- Common Questions & Answers
- Residential Real Estate Reporting Requirements Fact Sheet
- Real Estate Report Information Checklist



LAW PRACTICE

Tips, Traps, and Resources

NEW OREGON ETHICS OPINION ON AI

New Oregon Ethics Opinion on AI: Formal Opinion No. 2026-208, “Chatbots and AI Agent Communications,” addresses the question of whether Oregon lawyers may utilize chatbots to communicate with clients or potential clients on their websites or elsewhere. The opinion concludes: Yes, qualified. To read the opinion, go to www.osbar.org/ethics/ethicsops.html.

AMENDED RULE ON USE OF FIXED FEES

The Oregon Supreme Court amended ORPC 1.5(c) and 1.15-1(c), both addressing the use of fixed fees by lawyers and licensed paralegals. The changes seek to clarify a licensee’s obligations in use of this fee structure (formerly referred to as “earned on receipt” or “nonrefundable”). To read the current rule, go to www.osbar.org/rulesregs.

UPDATED SAMPLE PREPAID FEE AGREEMENT

The PLF has updated its Sample Prepaid Fee Agreement practice aid in response to the change to

ORPC 1.5(c). The updates are intended to help legal professionals ensure their prepaid fee agreements align with the revised rule and clearly communicate the nature of the prepaid fee arrangement to clients. You can download the updated sample agreement at www.osbplf.org/services/resources/#forms under Client Engagement and Relations > Engagement Letters and Fee Agreements.

USPS POSTMARKING RULE CHANGES

In December 2025, the United States Postal Services updated its guidance on postmarking practices. Under the revised approach, mail may be postmarked when it is processed at a regional facility, rather than when it is dropped in a local mailbox or post office. As a result, a document mailed “on time” can still receive a postmark dated after the applicable deadline, depending on processing schedules. You can find the rule at 39 CFR Part 111 at www.federalregister.gov/documents/2025/11/24/2025-20740/postmarks-and-postal-possession.