

Senate Bill 87

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SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Provides that action to recover balance due upon account must be commenced within six years, or within limitation period that would be applicable in state in which party seeking to recover resides, whichever is shorter.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to actions to recover balance due upon an account; creating new provisions; amending ORS
3 12.090; and declaring an emergency.

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

5 **SECTION 1.** ORS 12.090 is amended to read:

6 12.090. (1)(a) **An action to recover a balance due upon an account must be commenced**
7 **within six years, or within the limitation period that would be applicable in the state in which**
8 **the party seeking to recover the balance due resides, whichever is shorter.**

9 (b) **The statute of limitations that would be applicable in the state in which the party**
10 **seeking to recover the balance due resides must be computed without regard to laws pro-**
11 **viding for tolling related to the lack of residency of the defendant in the state.**

12 (2) In an action to recover a balance due upon an account, the cause of action shall be deemed
13 to have accrued from the time of the last charge or payment proved in the account. Interest, fi-
14 nancing and carrying charges shall not be deemed such a charge.

15 **SECTION 2.** **The amendments to ORS 12.090 by section 1 of this 2013 Act apply only to**
16 **causes of action that arise on or after the effective date of this 2013 Act.**

17 **SECTION 3.** **This 2013 Act being necessary for the immediate preservation of the public**
18 **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**
19 **on its passage.**

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NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.