

**SENATE AMENDMENTS TO
SENATE BILL 421**

By COMMITTEE ON RULES

May 13

1 On page 3 of the printed bill, delete lines 29 through 36 and insert:

2 “(1)(a) As used in this subsection, ‘total amount of the recovery’ means the amount that a person
3 injured in a motor vehicle accident recovers from:

4 “(A) Underinsured motorist benefits described in ORS 742.502 (2);

5 “(B) Liability insurance coverage the injured person receives from other parties involved in the
6 motor vehicle accident;

7 “(C) Personal injury protection benefits or health insurance benefits; and

8 “(D) Any other payment by or on behalf of the party that caused the motor vehicle accident.

9 “(b) An insurer may not receive a reimbursement or subrogation for personal injury protection
10 benefits or health benefits the insurer provided to a person injured in a motor vehicle accident from
11 any recovery the injured person obtains in an action for damages except to the extent that:

12 “(A) The injured person first receives full compensation for the injured person’s injuries; and

13 “(B) The reimbursement or subrogation is paid only from the total amount of the recovery in
14 excess of the amount that fully compensates for the injured person’s injuries.”.

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