

Requested by Representative KOTEK

**PROPOSED AMENDMENTS TO
A-ENGROSSED HOUSE BILL 4001**

1 On page 1 of the printed A-engrossed bill, line 2, after “ORS” insert
2 “203.082.”

3 Delete lines 15 through 20 and delete pages 2 through 5 and insert:

4 **“SECTION 1. Sections 2 and 3 of this 2020 Act and ORS 446.265 are**
5 **added to and made a part of ORS chapter 197.**

6 **“SECTION 2. (1) As used in this section and section 3 of this 2020**
7 **Act, ‘emergency shelter’ means a building that provides shelter on a**
8 **temporary basis for individuals and families who lack permanent**
9 **housing.**

10 **“(2) A building used as an emergency shelter under an approval**
11 **granted under section 3 of this 2020 Act:**

12 **“(a) May resume its use as an emergency shelter after an inter-**
13 **ruption or abandonment of that use for two years or less, notwith-**
14 **standing ORS 215.130 (7).**

15 **“(b) May not be used for any purpose other than as an emergency**
16 **shelter except upon application for a permit demonstrating that the**
17 **construction of the building and its use could be approved under cur-**
18 **rent land use laws and local land use regulations.**

19 **“SECTION 3. (1) A local government shall approve an application**
20 **for the development or use of land for an emergency shelter on any**
21 **lot or parcel, notwithstanding ORS chapter 195, 197, 197A, 215 or 227**

1 or any statewide plan, rule of the Land Conservation and Development
2 Commission or local land use regulation, zoning ordinance, regional
3 framework plan, functional plan or comprehensive plan, if the emer-
4 gency shelter:

5 “(a) Includes sleeping and restroom facilities for clients;

6 “(b) Will comply with applicable building codes;

7 “(c) Is located inside an urban growth boundary or in an area zoned
8 for rural residential use as defined in ORS 215.501;

9 “(d) Will not result in the development of a new building that is
10 sited within an area designated under a statewide planning goal re-
11 lating to natural disasters and hazards, including flood plains or
12 mapped environmental health hazards, unless the development com-
13 plies with regulations directly related to the hazard;

14 “(e) Has adequate transportation access to commercial and medical
15 services; and

16 “(f) Will not pose any unreasonable risk to public health or safety.

17 “(2) An emergency shelter allowed under this section must be op-
18 erated by:

19 “(a) A local government as defined in ORS 174.116;

20 “(b) An organization with at least two years’ experience operating
21 an emergency shelter using best practices that is:

22 “(A) A local housing authority as defined in ORS 456.375;

23 “(B) A religious corporation as defined in ORS 65.001; or

24 “(C) A public benefit corporation, as defined in ORS 65.001, whose
25 charitable purpose includes the support of homeless individuals, that
26 has been recognized as exempt from income tax under section 501(a)
27 of the Internal Revenue Code on or before January 1, 2017; or

28 “(c) A nonprofit corporation partnering with any other entity de-
29 scribed in this subsection.

30 “(3) An emergency shelter approved under this section:

1 “(a) May provide on-site for its clients and at no cost to the clients:

2 “(A) Showering or bathing;

3 “(B) Storage for personal property;

4 “(C) Laundry facilities;

5 “(D) Service of food prepared on-site or off-site;

6 “(E) Recreation areas for children and pets;

7 “(F) Case management services for housing, financial, vocational,
8 educational or physical or behavioral health care services; or

9 “(G) Any other services incidental to shelter.

10 “(b) May include youth shelters, winter or warming shelters, day
11 shelters and family violence shelter homes as defined in ORS 409.290.

12 “(4) The approval of an emergency shelter under this section is not
13 a land use decision and is subject to review only under ORS 34.010 to
14 34.100.

15 “SECTION 4. Section 3 of this 2020 Act is repealed on July 1, 2021.

16 “SECTION 5. ORS 446.265 is amended to read:

17 “446.265. (1) Inside an urban growth boundary, a local government may
18 authorize the establishment of transitional housing accommodations used as
19 individual living units by one or more individuals. Use of transitional hous-
20 ing accommodations is limited to [*persons*] **individuals** who lack permanent
21 or safe shelter and who cannot be placed in other low income housing. A
22 local government may limit the maximum amount of time that an individual
23 or a family may use the accommodations.

24 “(2) Transitional housing accommodations are intended to be used by in-
25 dividuals or families on a limited basis for seasonal, emergency or transi-
26 tional housing purposes and may include yurts, huts, cabins, fabric
27 structures, tents and similar accommodations, **as well as areas in parking**
28 **lots or facilities for individuals or families to reside overnight in a**
29 **motor vehicle, without regard to whether the motor vehicle was de-**
30 **signed for use as temporary living quarters.** The transitional housing

1 accommodations may provide parking facilities, walkways and access to wa-
2 ter, toilet, shower, laundry, cooking, telephone or other services either
3 through separate or shared facilities. The Oregon Health Authority may de-
4 velop public health best practices for shared health and sanitation facilities
5 for transitional housing accommodations.

6 “(3) Transitional housing accommodations are not subject to ORS chapter
7 90.

8 “(4) As used in this section, ‘yurt’ means a round, domed tent of canvas
9 or other weather resistant material, having a rigid framework, wooden floor,
10 one or more windows or skylights and that may have plumbing, electrical
11 service or heat.

12 **“SECTION 6.** ORS 203.082 is amended to read:

13 “203.082. (1) Any political subdivision in this state may allow churches,
14 synagogues and similar religious institutions to offer overnight camping
15 space on institution property to homeless [*persons*] **individuals** living in ve-
16 hicles.

17 “[*(2) In addition to any conditions or limitations imposed by a political*
18 *subdivision, a religious institution located within the political subdivision and*
19 *offering camping space described under subsection (1) of this section must:*]

20 “[*(a) Limit camping space at the institution site to three or fewer vehicles*
21 *at the same time; and*]

22 **“(2) A political subdivision may impose reasonable conditions upon**
23 **offering camping space under this section, including establishing a**
24 **maximum number of vehicles allowed.**

25 “[*(b)*] **(3) A religious institution offering camping space under this**
26 **section shall also** provide campers with access to sanitary facilities, in-
27 cluding [*but not limited to*] toilet, [*hand washing*] **handwashing** and trash
28 disposal facilities.

29 **“SECTION 7.** ORS 458.650 is amended to read:

30 “458.650. (1) The Emergency Housing Account [*shall be*] **is** administered

1 by the Housing and Community Services Department to assist homeless
2 [*persons*] **individuals** and those [*persons*] **individuals** who are at risk of be-
3 coming homeless. An amount equal to 25 percent of moneys deposited in the
4 account pursuant to ORS 294.187 is dedicated for expenditure for assistance
5 to veterans who are homeless or at risk of becoming homeless. For purposes
6 of this section, ‘account’ means the Emergency Housing Account.

7 “(2) The Oregon Housing Stability Council, with the advice of the Com-
8 munity Action Partnership of Oregon, shall develop policy for awarding
9 grants to organizations that shall use the funds:

10 “(a) To provide to low and very low income [*persons*] **individuals**, in-
11 cluding but not limited to, [*persons*] **individuals** more than 65 years of age,
12 persons with disabilities, farmworkers and Native Americans:

13 “(A) Emergency shelters and attendant services;

14 “(B) Transitional housing services designed to assist [*persons*] **individuals**
15 to make the transition from homelessness to permanent housing and eco-
16 nomic independence;

17 “(C) Supportive housing services to enable [*persons*] **individuals** to con-
18 tinue living in their own homes or to provide in-home services for such
19 [*persons*] **individuals** for whom suitable programs do not exist in their ge-
20 ographic area;

21 “(D) Programs that provide emergency payment of home payments, rents
22 or utilities; or

23 “(E) Some or all of the needs described in subparagraphs (A) to (D) of this
24 paragraph.

25 “(b) To align with federal strategies and resources that are available to
26 prevent and end homelessness.

27 “(3)(a) The council shall require as a condition of awarding a grant that
28 the organization demonstrate to the satisfaction of the council that the or-
29 ganization has the capacity to deliver any service proposed by the organiza-
30 tion.

1 “(b) Any funds granted under this section [*shall*] **may** not be used to re-
2 place existing funds. Funds granted under this section may be used to sup-
3 plement existing funds. An organization may use funds to support existing
4 programs or to establish new programs.

5 “(c) The council, by policy, shall give preference in granting funds to
6 those organizations that receive grants from the Housing Development Grant
7 Program established under ORS 458.625.

8 “(4) The department may expend funds from the account for:

9 “(a) **The** administration of the account as provided for in the legislatively
10 approved budget, as that term is defined in ORS 291.002, for the department.

11 “(b) **The development of technical assistance and training resources**
12 **for organizations developing and operating emergency shelters as de-**
13 **defined in section 2 of this 2020 Act and transitional housing accommo-**
14 **dations as described in ORS 446.265.**

15 “**SECTION 8. Section 9 of this 2020 Act is added to and made a part**
16 **of ORS 458.600 to 458.665.**

17 “**SECTION 9. (1) As used in this section, ‘low-barrier emergency**
18 **shelter’ means an emergency shelter, as defined in section 2 of this**
19 **2020 Act, that follows established best practices to deliver shelter ser-**
20 **vices that minimize barriers and increase access to individuals and**
21 **families experiencing homelessness.**

22 “(2) **The Housing and Community Services Department shall award**
23 **grants and provide technical assistance to organizations to fund:**

24 “(a) **The construction, purchase or lease of facilities to be used as**
25 **low-barrier emergency shelters;**

26 “(b) **The operation, use or staffing of low-barrier emergency shel-**
27 **ters, including the costs to provide clients with access to the shelters;**

28 “(c) **The development or use of amenities or facilities that provide**
29 **no-cost services to individuals and families who are homeless, includ-**
30 **ing restroom and hygiene facilities, laundry facilities, dining facilities,**

1 storage for personal property, meeting or gathering spaces and facili-
2 ties providing case management services; or

3 “(d) Rapid rehousing services and supports for individuals and
4 families.

5 “(3) In awarding grants and providing technical assistance under
6 this section, the department shall:

7 “(a) Ensure that funds are distributed among different regions of
8 the state; and

9 “(b) Prioritize funding areas of highest need as identified in the
10 August 2019 Oregon Statewide Shelter Study.

11 “(4) Grants under this section must be awarded:

12 “(a) Through a competitive process that emphasizes collaborative
13 proposals; or

14 “(b) To one or more community action agencies.

15 **“SECTION 10. (1) As used in this section, ‘navigation center’ means**
16 **a low-barrier emergency shelter, as defined in section 9 of this 2020**
17 **Act, that is open seven days per week and connects individuals and**
18 **families with health services, permanent housing and public benefits.**

19 “(2) The Oregon Department of Administrative Services shall award
20 grants to local governments to:

21 “(a) Plan the location, development or operations of a navigation
22 center;

23 “(b) Construct, purchase or lease a building for use as a navigation
24 center;

25 “(c) Operate a navigation center that has been constructed, pur-
26 chased or leased under paragraph (b) of this section; or

27 “(d) Contract for the performance of activities in this subsection.

28 “(3) The department shall require that each local government re-
29 ceiving a grant under this section agree to return all moneys granted
30 unless the local government has developed a navigation center that is

1 operating on or before November 30, 2020.

2 **“SECTION 11. Sections 9 and 10 of this 2020 Act are repealed on**
3 **January 2, 2022.**

4 **“SECTION 12. In addition to and not in lieu of any other appropri-**
5 **ation, there is appropriated for the biennium ending June 30, 2021, out**
6 **of the General Fund:**

7 **“(1) To the Housing and Community Services Department, the**
8 **amount of:**

9 **“(a) \$26,500,000, to award grants under section 9 of this 2020 Act,**
10 **notwithstanding ORS 458.650 (2) and (3); and**

11 **“(b) \$2,000,000, to develop and provide technical assistance under**
12 **ORS 458.650 (4)(b) and section 9 of this 2020 Act; and**

13 **“(2) To the Oregon Department of Administrative Services, to**
14 **award grants for navigation centers under section 10 of this 2020 Act,**
15 **the amount of:**

16 **“(a) \$1,500,000 for distribution to Yamhill County for use within the**
17 **urban growth boundary of the City of McMinnville;**

18 **“(b) \$2,500,000 for distribution to the City of Bend;**

19 **“(c) \$2,500,000 for distribution to the City of Medford;**

20 **“(d) \$5,000,000 for distribution to the City of Salem; and**

21 **“(e) \$5,000,000 for distribution to Lane County for use within the**
22 **City of Eugene.**

23 **“SECTION 13. This 2020 Act being necessary for the immediate**
24 **preservation of the public peace, health and safety, an emergency is**
25 **declared to exist, and this 2020 Act takes effect on its passage.”.**

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