

HB 3124 -1 STAFF MEASURE SUMMARY

House Committee On Housing

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Meeting Dates: 3/18, 4/8

WHAT THE MEASURE DOES:

Extends time by which local law enforcement officials must post a written notice before removing homeless individuals from an established camping site from 24 hours to 72 hours. Requires notice be posted at all reasonably identifiable entrances to a camping site. Defines “personal property” as any item that can reasonably be identified as belonging to an individual and that has apparent value or utility. Clarifies requirements for the removal and storage of personal property, the disposal of unclaimed items which have no apparent value or are in an unsanitary condition, and the confiscation of weapons, drugs, or other items that appear to be stolen or evidence of a crime. Requires that written notice provide location or contact information by which an individual may identify the location where their personal property has been stored. Requires local governments to store, for a minimum of 90 days, personal property in a manner that is orderly and is made reasonably available for an individual to claim. Provides that any law or policy of a local government that is more specific or offers greater protections to homeless individuals subject to removal from an established camping site preempts contrary provisions of this Act. Extends time period for notice requirements from 48 hours to 72 hours for Department of Transportation-owned property that is subject to an intergovernmental agreement between the department and a city that has a population of 500,000 or more for the removal, and storage of personal property from an established camping site. Declares emergency, effective upon passage.

ISSUES DISCUSSED:

- Consideration of whether counties or state-owned parks should be included as only incorporated cities are implicated by the provisions of the measure
- Expense and time required to store and account for personal property for 90 days, and particular burdens on small cities with limited capacity
- Failure of campsite cleanups to humanize the experiences of homeless individuals, sometimes inhibiting social services providers from connecting transient campers from essential medical and basic services

EFFECT OF AMENDMENT:

-1 Requires that unclaimed personal property at a camping site be given to a law enforcement official, social service or outreach agency serving homeless individuals, a local agency official or a person authorized to issue a citation for unlawful camping. Requires that unclaimed personal property be stored in a facility in the same community as the camping site from which it was removed. Retains statutory requirement that local agencies store unclaimed personal property removed from a camping site for a minimum of 30 days.

No revenue impact; minimal fiscal impact

BACKGROUND:

Oregon’s rate of homeless individuals who are unsheltered is one of the highest in the United States. A 2019 Urban Institute report found that 24 percent (10,142 individuals) of homeless individuals in Oregon were unsheltered. According to Oregon Housing and Community Services, the number of unsheltered homeless individuals has increased by 37 percent since 2015, and the department’s 2019 Statewide Shelter Study calculated a shortfall of 5,800 emergency shelter beds for individuals and families.

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Oregon Law provides a set of required elements that local governments must adopt as part of policies related to camping by homeless individuals. Through legal settlements or ordinances, some local governments have established specific guidelines governing the removal of homeless individuals from public property being used for the purpose of shelter or temporary residence and for the storage and/or disposal of property discovered within an established camping site.

House Bill 3124 increases to 72 hours the notice required before law enforcement officials remove homeless individuals from an established camping site. It clarifies requirements for the removal, storage, or disposal of unclaimed property, and provides that locally-established laws and policies providing greater protections to homeless individuals preempt any contrary amendments provided in this measure.