

## SB 289 -3, -4 STAFF MEASURE SUMMARY

### Senate Committee On Energy and Environment

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**Prepared By:** Beth Reiley, LPRO Analyst

**Meeting Dates:** 2/9, 2/11, 3/4, 4/8

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#### WHAT THE MEASURE DOES:

Directs the office of the Governor, in consultation with Racial Justice Council's Environmental Equity Committee, to conduct a study of laws related to environment, with a focus on potential policy changes that address environmental equity and to report to interim committees of Legislative Assembly on results of study no later than September 15, 2022. Sunsets January 2, 2023. Takes effect on 91st day following adjournment sine die.

#### ISSUES DISCUSSED:

##### EFFECT OF AMENDMENT:

-3 Replaces measure. Prohibits a person from entering or remaining in any building, land or water area under State Parks and Recreation Department (OPRD) jurisdiction for a period of at least six months, but not longer than five-years if convicted of first or second degree bias crime (ORS 166.155 or 166.165) on waters of the state or publicly owned land used for outdoor recreation, in addition to any other penalty. Requires the State Marine Board (Board) to suspend a person's boating safety education card and revoke their waterway access permit and prohibits boating safety education card or waterway access permit from being issued for a period of at least six months, but not longer than five-years from the date of the conviction of first or second degree bias crime on waters of the state or publicly owned land used for outdoor recreation. Requires court to notify OPRD or Board of the relevant conviction. Authorizes court that sentences a person to community service for first or second degree bias crime that occurred on waters of the state or publicly owned land used for outdoor recreation to include: habitat restoration or restoration or maintenance of outdoor recreation facilities under the supervision of OPRD, State Department of Fish and Wildlife or Board and anti-bias training. Authorizes court to revoke all licenses, tags and permits issued to person convicted of first or second degree bias crime while they were angling, taking shellfish, hunting, trapping or on the waters of this state or publicly owned land used for recreation. Applies to convictions for conduct that occurs on or after effective date of Act.

-4 Replaces measure. Prohibits a person from entering or remaining in any building, land or water area under State Parks and Recreation Department (OPRD) jurisdiction for a period of at least six months, but not longer than five-years if convicted of first or second degree bias crime (ORS 166.155 or 166.165) on waters of the state or publicly owned land used for outdoor recreation, in addition to any other penalty. Stipulates person convicted may not be prohibited from entering building or land or water area under OPRD jurisdiction to perform community service **or from entering the grounds included within the State Capitol State Park**. Requires the State Marine Board (Board) to suspend a person's boating safety education card and revoke their waterway access permit and prohibits boating safety education card or waterway access permit from being issued for a period of at least six months, but not longer than five-years from the date of the conviction of first or second degree bias crime on waters of the state or publicly owned land used for outdoor recreation. Requires court to notify OPRD or Board of the relevant conviction. Authorizes court that sentences a person to community service for first or second degree bias crime that occurred on waters of the state or publicly owned land used for outdoor recreation to include: habitat restoration or restoration or maintenance of outdoor recreation facilities under the supervision of OPRD, State Department of Fish and Wildlife or Board and anti-bias training. Authorizes court to revoke all licenses, tags and permits issued to person convicted of first or second degree bias crime while they were angling, taking shellfish, hunting, trapping or on the waters of this state or publicly owned land used for recreation.

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Applies to convictions for conduct that occurs on or after effective date of Act.

No Revenue Impact

Minimal Fiscal Impact

### **BACKGROUND:**

The Racial Justice Council was established by Governor Kate Brown. The Racial Justice Council is a compellation of 30-40 community leaders with: a demonstrated commitment to racial equity, social and economic justice, diversity and inclusion; connections to, or experience working with, historically underserved communities, particularly tribal communities, immigrants, refugees, Black, Indigenous and People of Color; or have personal and/or professional experience and knowledge in public policy, criminal justice reform, police accountability, economic opportunity, housing, homelessness, health equity, behavioral health, education or research/data. The Council is charged with: directing the collection of data from across sectors of society to support, data-driven policy decisions; providing principles and recommendations that center racial justice to the Governor to inform the '21-23 Governor's Recommended Budget and Tax Expenditures Report; and creating a Racial Justice Action Plan for six specific areas: criminal justice reform and police accountability, housing and homelessness, economic opportunity, health equity, environmental equity, education recovery.

Senate Bill 289 directs the office of the Governor, in consultation with the Racial Justice Council's Environmental Equity Committee, to study laws related to the environment and provide results to interim committees of Legislative Assembly no later than September 15, 2022.