

SB 289 A STAFF MEASURE SUMMARY
Senate Committee On Energy and Environment

Carrier: Sen. Frederick

Action Date: 04/08/21
Action: Do pass with amendments. (Printed A-Eng.)
Vote: 4-1-0-0
Yeas: 4 - Beyer, Dembrow, Findley, Taylor
Nays: 1 - Robinson
Fiscal: Has minimal fiscal impact
Revenue: No revenue impact
Prepared By: Beth Reiley, LPRO Analyst
Meeting Dates: 2/9, 2/11, 3/4, 4/8

WHAT THE MEASURE DOES:

Prohibits a person who is convicted of a first or second degree bias crime (ORS 166.155 or 166.165) that was committed on waters of the state or publicly owned land used for outdoor recreation from entering or remaining in any building, land, or water area under Oregon Parks and Recreation Department (OPRD) jurisdiction for a period of at least six months, but not longer than five-years from date of entry of judgment, 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 boating safety education card and revoke the waterway access permit and prohibit 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 a person's conviction of a 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.

ISSUES DISCUSSED:

- Incidences of violence at state parks in Oregon
- Experience of individuals being threatened, harrassed, or assaulted while participating in outdoor recreation activities
- Equitable access to state parks

EFFECT OF AMENDMENT:

Replaces the measure.

BACKGROUND:

In 2019, Governor Brown directed a Task Force on the Outdoors to develop a set of recommendations to ensure that the benefits of outdoor recreation—to individual wellbeing, community livability, and a thriving economy—are enjoyed by all Oregonians. According to the "Governor's Task Force on the Outdoors: 2020 Framework to Action," 95 percent of Oregonians participate in outdoor recreation annually. In addition, outdoor physical activity resulted in \$1.4 billion in health care savings in Oregon in 2018, or about 3.6 percent of total

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healthcare costs in the state. One of the guiding principles of the work of the Governor's Task Force was to champion safe and easy access to parks, natural areas, and special places for improved wellbeing. According to *The Register-Guard*, there has been increasing reports of harassment and violence in outdoor recreation areas.

Senate Bill 289 A would limit a person's access to areas under Oregon Parks and Recreation Department jurisdiction for a period of time 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, the Act requires the State Marine Board to suspend, and prohibit reissuing for a period of time, a boating safety education card and revoke a waterway access permit for a period of time if a person is convicted of a first or second degree bias crime on waters of the state or publicly owned land used for outdoor recreation. Finally, the Act authorizes a 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, or trapping on the waters of the state or publicly owned land used for recreation.