

**HB 3124 B STAFF MEASURE SUMMARY**  
**Senate Committee On Housing and Development**

**Carrier:** Sen. Golden

**Action Date:** 05/27/21

**Action:** Do pass with amendments to the A-Eng bill, including amendments to resolve conflicts.  
 (Printed B-Eng.)

**Vote:** 3-2-0-0

**Yeas:** 3 - Golden, Jama, Patterson

**Nays:** 2 - Anderson, Linthicum

**Fiscal:** Has minimal fiscal impact

**Revenue:** No revenue impact

**Prepared By:** Devin Edwards, LPRO Analyst

**Meeting Dates:** 5/6, 5/27

**WHAT THE MEASURE DOES:**

Increases advance notice requirement for law enforcement to inform homeless individuals of the pending removal of an established campsite, from 24 hours to 72 hours beforehand. Allows specified service agencies, nonprofits, and individuals to receive unclaimed personal property after removal. Requires unclaimed personal property to be stored in an orderly fashion in the same community as the campsite that was removed. Specifies property that may be discarded or given to law enforcement. Specifies contact information to be included in written notices. Allows local ordinance with greater protections for homeless individuals to control over state provisions. Requires unclaimed property in Multnomah County to be stored within six blocks of a public transit station. Declares emergency, effective on passage.

**ISSUES DISCUSSED:**

- Involvement of cities in policymaking process
- Local implementation costs

**EFFECT OF AMENDMENT:**

Resolves conflicts with Senate Bill 410. Replaces drug paraphernalia with non-prescribed controlled substances with respect to items given to law enforcement after campsite removal. Allows unclaimed property to be donated to charitable organizations after 30 days have lapsed, effective December 31, 2020. Allows removal notice to be posted 24 hours in advance if a funeral service is scheduled to take place within 72 hours in a cemetery where a campsite exists, or when a campsite is established within 72 hours of a scheduled funeral service. Requires unclaimed property in Multnomah County to be stored within six blocks of a public transit station.

**BACKGROUND:**

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

Local governments are required to adopt humane policies when regulating camping by homeless individuals. Some local governments have established guidelines for the removal of homeless individuals from campsites on public property being used for shelter or as a temporary residence, and for the storage and/or disposal of their personal property after they are removed. For jurisdictions that have adopted policies, at least 24 hours advance notice of removal is required in writing, and law enforcement must store homeless individuals' unclaimed personal property for at least 30 days, among other requirements.

## **HB 3124 B STAFF MEASURE SUMMARY**

House Bill 3124 B increases the notice requirement from 24 hours to 72 hours in advance, for law enforcement to inform homeless persons in writing of the removal of an established campsite. The measure also provides for the receipt and storage of unclaimed personal property by local social services agencies, charitable organizations, outreach workers, local agency officials, and individuals authorized to issue citations for unlawful camping, rather than by law enforcement, and for its orderly storage, grouped by individual ownership to the extent reasonably possible. (Items with no apparent value or utility, or that are unsanitary, may be discarded immediately; and weapons, non-prescribed controlled substances, and items that appear to be stolen or evidence of a crime must be given to law enforcement.) The measure also specifies that local ordinances that offer more specific or greater protections for homeless individuals, who may be subject to removal, preempt any contrary state provisions. Finally, the measure requires unclaimed personal property in Multnomah County to be stored within six blocks of a public transit station.