

HOUSE AMENDMENTS TO HOUSE BILL 3124

By COMMITTEE ON HOUSING

April 12

1 On page 1 of the printed bill, delete lines 5 through 29.

2 On page 2, delete lines 1 through 35 and insert:

3 “**SECTION 1.** ORS 203.079 is amended to read:

4 “203.079. (1) A policy developed pursuant to ORS 203.077 shall *[include, but is not limited to,]*
5 **conform, but is not limited, to** the following~~g~~*l* provisions.

6 “(2) **As used in this section, ‘personal property’ means any item that can reasonably be**
7 **identified as belonging to an individual and that has apparent value or utility.**

8 “[*a*] (3) **[Prior to] Except as provided in subsection (9) of this section, at least 72 hours**
9 **before** removing homeless individuals from an established camping site, law enforcement officials
10 shall post a **written** notice, *[written]* in English and Spanish, *[24 hours in advance]* **at all entrances**
11 **to the camping site to the extent that the entrances can reasonably be identified.**

12 “[*b*] (4)(a) **[At the time that a 24-hour] When a 72-hour** notice is posted, law enforcement of-
13 ficials shall inform the local agency that delivers social services to homeless individuals **as to** where
14 the notice has been posted.

15 “[*c*] (b) The local agency may arrange for outreach workers to visit the camping site *[where*
16 *a notice has been posted]* **that is subject to the notice** to assess the need for social service assist-
17 ance in arranging shelter and other assistance.

18 “[*d*] (5)(a) All *[unclaimed]* personal property **at the camping site that remains unclaimed**
19 **after removal** shall be given to *[law enforcement officials whether 24-hour]* **a law enforcement of-**
20 **ficial, a local agency that delivers social services to homeless individuals, an outreach**
21 **worker, a local agency official or a person authorized to issue a citation described in sub-**
22 **section (10) of this section, whether** notice is required **under subsection (3) of this section or**
23 **not.**

24 “(b) **The unclaimed personal property must be stored in a facility located in the same**
25 **community as the camping site from which it was removed.**

26 “(c) **Items that have no apparent value or utility or are in an insanitary condition may**
27 **be immediately discarded upon removal of the homeless individuals from the camping site.**

28 “(d) **Weapons, drug paraphernalia and items that appear to be either stolen or evidence**
29 **of a crime shall be given to or retained by law enforcement officials.**

30 “(6) **The written notice required under subsection (3) of this section must state, at a**
31 **minimum:**

32 “(a) **Where unclaimed personal property will be stored;**

33 “(b) **A phone number that individuals may call to find out where the property will be**
34 **stored; or**

35 “(c) **If a permanent storage location has not yet been determined, the address and phone**

1 **number of an agency that will have the information when available.**

2 **“(7)(a) The unclaimed personal property shall be stored in an orderly fashion, keeping**
3 **items that belong to an individual together to the extent that ownership can reasonably be**
4 **determined.**

5 **“(b) The property shall be stored for a minimum of 30 days during which it [will] shall be rea-**
6 **sonably available to any individual claiming ownership. Any personal property that remains un-**
7 **claimed [for] after 30 days may be disposed of. [For purposes of this paragraph, ‘personal property’**
8 **means any item that is reasonably recognizable as belonging to a person and that has apparent utility.**
9 **Items that have no apparent utility or are in an insanitary condition may be immediately discarded**
10 **upon removal of the homeless individuals from the camping site. Weapons, drug paraphernalia and**
11 **items that appear to be either stolen or evidence of a crime shall be given to law enforcement**
12 **officials.]**

13 **“[(e)] (8) Following the removal of homeless individuals from a camping site on public property,**
14 **the law enforcement officials, local agency officials and outreach workers may meet to assess the**
15 **notice and removal policy, to discuss whether the removals are occurring in a humane and just**
16 **manner and to determine if any changes are needed in the policy.**

17 **“[(2)] (9) The [24-hour] 72-hour notice [required] requirement under subsection [(1)] (3) of this**
18 **section [shall] does not apply:**

19 **“(a) When there are grounds for law enforcement officials to believe that illegal activities other**
20 **than camping are occurring at an established camping site.**

21 **“(b) In the event of an exceptional emergency [such as] at an established camping site, in-**
22 **cluding, but not limited to, possible site contamination by hazardous materials [or when there is],**
23 **a public health emergency or other immediate danger to human life or safety.**

24 **“[(3)] (10) A person authorized to issue a citation for unlawful camping under state law, admin-**
25 **istrative rule or city or county ordinance may not issue the citation if the citation would be issued**
26 **within 200 feet of [the] a notice [described in] required under subsection (3) of this section and**
27 **within two hours before or after the notice was posted.**

28 **“(11) Any law or policy of a city or county that is more specific or offers greater pro-**
29 **tections to homeless individuals subject to removal from an established camping site pre-**
30 **empts contrary provisions of this section.”.**

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