

**SENATE AMENDMENTS TO  
A-ENGROSSED HOUSE BILL 3124  
(INCLUDING AMENDMENTS TO RESOLVE CONFLICTS)**

By COMMITTEE ON HOUSING AND DEVELOPMENT

June 3

1 On page 2 of the printed A-engrossed bill, delete lines 1 and 2 and insert:

2 “(b) The unclaimed personal property must be stored:

3 “(A) For property removed from camping sites in counties other than Multnomah County, in a  
4 facility located in the same community as the camping site from which it was removed.

5 “(B) For property removed from camping sites in Multnomah County, in a facility located within  
6 six blocks of a public transit station.”.

7 In line 5, delete “drug paraphernalia” and insert “controlled substances other than prescription  
8 medication”.

9 In line 19, before the period insert “or donated to a corporation described in section 501(c)(3)  
10 of the Internal Revenue Code as amended and in effect on December 31, 2020”.

11 In line 29, after “(9)” insert “(a)”.

12 In line 31, delete “(a)” and insert “(A)”.

13 In line 33, delete “(b)” and insert “(B)”.

14 After line 35, insert:

15 “(b) If a funeral service is scheduled with less than 72 hours’ notice at a cemetery at which  
16 there is a camping site, or a camping site is established at the cemetery less than 72 hours before  
17 the scheduled service, the written notice required under subsection (3) of this section may be posted  
18 at least 24 hours before removing homeless individuals from the camping site.”.

19 After line 42, insert:

20 **“SECTION 1a. If Senate Bill 410 becomes law, section 1 of this 2021 Act (amending ORS**  
21 **203.079) is repealed and ORS 203.079, as amended by section 1, chapter \_\_, Oregon Laws 2021**  
22 **(Enrolled Senate Bill 410), is amended to read:**

23 “203.079. (1) A policy developed pursuant to ORS 203.077 shall *[include, but is not limited to,]*  
24 **conform, but is not limited, to the following[:] provisions.**

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

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

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

34 **“[(c)] (b)** The local agency may arrange for outreach workers to visit the camping site *[where*

1 a notice has been posted] **that is subject to the notice** to assess the need for social service assist-  
2 ance in arranging shelter and other assistance.

3 *“(d) Except as otherwise provided in paragraph (e) of this subsection:”*

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

10 *“(b) **The unclaimed personal property must be stored:***

11 *“(A) **For property removed from camping sites in counties other than Multnomah***  
12 ***County, in a facility located in the same community as the camping site from which it was***  
13 ***removed.***

14 *“(B) **For property removed from camping sites in Multnomah County, in a facility located***  
15 ***within six blocks of a public transit station.***

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

18 *“(d) **Weapons, controlled substances other than prescription medication and items that***  
19 ***appear to be either stolen or evidence of a crime shall be given to or retained by law***  
20 ***enforcement officials.***

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

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

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

26 *“(c) **If a permanent storage location has not yet been determined, the address and phone***  
27 ***number of an agency that will have the information when available.***

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

31 *“(b) **The property shall be stored for a minimum of 30 days during which it [will] shall be rea-***  
32 ***sonably available to any individual claiming ownership. Any personal property that remains un-***  
33 ***claimed [for] after 30 days may be disposed of or donated to a corporation described in section***  
34 ***501(c)(3) of the Internal Revenue Code as amended and in effect on December 31, 2020.***

35 *“(B) *For purposes of this paragraph, ‘personal property’ means any item that is reasonably re-**  
36 **cognizable as belonging to a person and that has apparent utility. Items that have no apparent utility**  
37 **or are in an insanitary condition may be immediately discarded upon removal of the homeless indi-**  
38 **viduals from the camping site.]**

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

41 *“(e) *For unclaimed personal property located in Multnomah County:*”*

42 *“(A) *All unclaimed personal property shall be given to a law enforcement official, a local agency**  
43 **that delivers social services to homeless individuals, an outreach worker, a local agency official or a**  
44 **person authorized to issue a citation described in subsection (3) of this section, whether 24-hour notice**  
45 **is required or not.]**

1       “(B) Facilities for storage of personal property under paragraph (d) of this subsection must be  
2 located within six blocks of a public transit station.]

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

7       “[(2)] (9)(a) The [24-hour] **72-hour** notice [required] **requirement** under subsection [(1)] (3) of  
8 this section [shall] **does** not apply:

9       “[(a)] (A) When there are grounds for law enforcement officials to believe that illegal activities  
10 other than camping are occurring **at an established camping site**.

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

14       “(b) **If a funeral service is scheduled with less than 72 hours’ notice at a cemetery at**  
15 **which there is a camping site, or a camping site is established at the cemetery less than 72**  
16 **hours before the scheduled service, the written notice required under subsection (3) of this**  
17 **section may be posted at least 24 hours before removing homeless individuals from the**  
18 **camping site.**

19       “[(3)] (10) A person authorized to issue a citation for unlawful camping under state law, admin-  
20 istrative rule or city or county ordinance may not issue the citation if the citation would be issued  
21 within 200 feet of [the] a notice [described in] **required under subsection (3) of this section** and  
22 within two hours before or after the notice was posted.

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