

Senate Bill 19

Sponsored by Senator FINDLEY, Representative RESCHKE (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires state to transfer title and assets of closed state correctional institution to county. Authorizes county to rezone institution land by ordinance.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to Department of Corrections institutions; and prescribing an effective date.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Section 2 of this 2021 Act is added to and made a part of ORS chapter 421.**

5 **SECTION 2. (1) If a Department of Corrections institution is closed, the state shall**
6 **promptly transfer to the county in which the institution is sited, without consideration, all**
7 **of the state's interest in the title to the institution and all fixtures of the institution.**

8 **(2) The department may not remove any fixtures from an institution after it is closed**
9 **or has been planned for closure, except to the extent that removal is necessary to prevent**
10 **the disclosure of information that is exempt from disclosure under ORS 192.311 to 192.478**
11 **or that the failure to remove a fixture would substantially prejudice or prevent the carrying**
12 **out of the functions of the department.**

13 **(3) Notwithstanding ORS 215.431, the governing body of a county that receives title to**
14 **an institution under this section, with respect to the land on which the institution is sited,**
15 **may amend its comprehensive plan or enact or amend any land use regulation without re-**
16 **spect to statewide planning goals to allow the use of the land for any other purpose, provided**
17 **that:**

18 **(a) The enactment or amendment is passed by an ordinance of the governing body of the**
19 **county after a public hearing;**

20 **(b) The county has not converted the institution to a regional correctional facility;**

21 **(c) The ordinance is passed within one year of the transfer; and**

22 **(d) A copy of the ordinance is delivered to the Land Conservation and Development**
23 **Commission within 14 days of passage.**

24 **(4) Notwithstanding ORS 197.610 to 197.625, upon receipt of a copy of an ordinance passed**
25 **under subsection (3) of this section, the commission shall consider the ordinance to be ac-**
26 **knowledged, as that term is used in ORS chapter 197.**

27 **SECTION 3. Section 2 of this 2021 Act applies to institutions closed on or after January**
28 **1, 2021.**

29 **SECTION 4. This 2021 Act takes effect on the 91st day after the date on which the 2021**
30 **regular session of the Eighty-first Legislative Assembly adjourns sine die.**

31

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.