

**A-Engrossed**  
**Senate Bill 410**

Ordered by the Senate April 5  
Including Senate Amendments dated April 5

Sponsored by Senator GORSEK (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.

*[Requires state agencies to develop and implement policies to ensure humane treatment of homeless individuals. Provides]* **Creates separate** standards for storage *[facilities used for]* **of unclaimed personal property** *[given to law enforcement officials]* **in Multnomah County** when homeless individuals are removed from established camping site.

Declares emergency, effective on passage.

**A BILL FOR AN ACT**

Relating to homelessness; amending ORS 203.079; and declaring an emergency.

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

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

203.079. (1) A policy developed pursuant to ORS 203.077 shall include, but is not limited to, the following:

(a) Prior to removing homeless individuals from an established camping site, law enforcement officials shall post a notice, written in English and Spanish, 24 hours in advance.

(b) At the time that a 24-hour notice is posted, law enforcement officials shall inform the local agency that delivers social services to homeless individuals where the notice has been posted.

(c) The local agency may arrange for outreach workers to visit the camping site where a notice has been posted to assess the need for social service assistance in arranging shelter and other assistance.

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

**(A)** All unclaimed personal property shall be given to law enforcement officials whether 24-hour notice is required or not. The property shall be stored for a minimum of 30 days during which it will be reasonably available to any individual claiming ownership. Any personal property that remains unclaimed for 30 days may be disposed of.

**(B)** For purposes of this paragraph, "personal property" means any item that is reasonably recognizable as belonging to a person and that has apparent utility. Items that have no apparent utility or are in an insanitary condition may be immediately discarded upon removal of the homeless individuals from the camping site.

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

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

**(A) All unclaimed personal property shall be given to a law enforcement official, a local**

**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.

1 **agency that delivers social services to homeless individuals, an outreach worker, a local**  
2 **agency official or a person authorized to issue a citation described in subsection (3) of this**  
3 **section, whether 24-hour notice is required or not.**

4 **(B) Facilities for storage of personal property under paragraph (d) of this subsection**  
5 **must be located within six blocks of a public transit station.**

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

10 (2) The 24-hour notice required under subsection (1) of this section shall not apply:

11 (a) When there are grounds for law enforcement officials to believe that illegal activities other  
12 than camping are occurring.

13 (b) In the event of an exceptional emergency such as possible site contamination by hazardous  
14 materials or when there is immediate danger to human life or safety.

15 (3) A person authorized to issue a citation for unlawful camping under state law, administrative  
16 rule or city or county ordinance may not issue the citation if the citation would be issued within  
17 200 feet of the notice described in this section and within two hours before or after the notice was  
18 posted.

19 **SECTION 2. This 2021 Act being necessary for the immediate preservation of the public**  
20 **peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect**  
21 **on its passage.**

22 \_\_\_\_\_