

SENATE AMENDMENTS TO SENATE BILL 410

By COMMITTEE ON HUMAN SERVICES, MENTAL HEALTH AND RECOVERY

April 5

1 On page 1 of the printed bill, line 2, after “ORS” delete the rest of the line.

2 In line 3, delete “2018” and insert “203.079”.

3 Delete lines 5 through 30 and delete pages 2 and 3 and insert:

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

5 “203.079. (1) A policy developed pursuant to ORS 203.077 shall include, but is not limited to, the
6 following:

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

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

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

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

15 “(A) All unclaimed personal property shall be given to law enforcement officials whether
16 24-hour notice is required or not. The property shall be stored for a minimum of 30 days during
17 which it will be reasonably available to any individual claiming ownership. Any personal property
18 that remains unclaimed for 30 days may be disposed of.

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

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

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

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

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

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

1 “(2) The 24-hour notice required under subsection (1) of this section shall not apply:
2 “(a) When there are grounds for law enforcement officials to believe that illegal activities other
3 than camping are occurring.
4 “(b) In the event of an exceptional emergency such as possible site contamination by hazardous
5 materials or when there is immediate danger to human life or safety.
6 “(3) A person authorized to issue a citation for unlawful camping under state law, administrative
7 rule or city or county ordinance may not issue the citation if the citation would be issued within
8 200 feet of the notice described in this section and within two hours before or after the notice was
9 posted.
10 “**SECTION 2. This 2021 Act being necessary for the immediate preservation of the public
11 peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect
12 on its passage.”**
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