

Requested by Senator GORSEK

**PROPOSED AMENDMENTS TO
SENATE BILL 410**

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

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

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

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

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

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

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

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

17 **“(d) Except as otherwise provided in paragraph (e) of this sub-**
18 **section:**

19 **“(A)** All unclaimed personal property shall be given to law enforcement
20 officials whether 24-hour notice is required or not. The property shall be
21 stored for a minimum of 30 days during which it will be reasonably available

1 to any individual claiming ownership. Any personal property that remains
2 unclaimed for 30 days may be disposed of.

3 “(B) For purposes of this paragraph, ‘personal property’ means any item
4 that is reasonably recognizable as belonging to a person and that has ap-
5 parent utility. Items that have no apparent utility or are in an insanitary
6 condition may be immediately discarded upon removal of the homeless indi-
7 viduals from the camping site.

8 “(C) Weapons, drug paraphernalia and items that appear to be either
9 stolen or evidence of a crime shall be given to **or retained by** law enforce-
10 ment officials.

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

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

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

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

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

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

29 “(b) In the event of an exceptional emergency such as possible site con-
30 tamination by hazardous materials or when there is immediate danger to

1 human life or safety.

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

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

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