

HB 3462 A STAFF MEASURE SUMMARY

Senate Committee On Housing and Development

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Meeting Dates: 5/1, 5/8

WHAT THE MEASURE DOES:

Requires Oregon Department of Emergency Management (OEM), Oregon Housing and Community Services (OHCS), or Department of Human Services (DHS) to ensure temporary housing provided in response to emergencies is safe and in compliance with state and federal nondiscrimination laws. Allows these agencies to provide community members otherwise ineligible for distribution of federal resources, including because of immigration status, similar or equivalent resources, subject to availability of agency funds. Defines for purposes of Act, temporary housing as a dwelling within meanings of ORS 659A.421, relating to unlawful discrimination in real property transactions, and federal Fair Housing Act, 42 U.S.C. 3602. Declares emergency, effective on passage.

FISCAL: No fiscal impact

REVENUE: No revenue impact

House Vote: Ayes, 35; Nays 8

ISSUES DISCUSSED:

- Potential for future fiscal impact
- Losses sustained from wildfires and other natural disasters
- Geographic coverage of bill and disaster impacts
- Effect of statutory and federal rules on emergency relief
- Current applicability of fair housing laws

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Under ORS 401.185, if the Governor or United States President declare a state of emergency in Oregon, they may, with the concurrence of the Joint Committee on Ways and Means or with the Emergency Board if the Legislative Assembly is not in session, enter into arrangements providing temporary housing for emergency victims and make the units available to local governments.

The Federal Emergency Management Agency (FEMA) provides direct housing resources to disaster survivors whose primary home is destroyed or made unlivable due to damage caused by the disaster, or who have no other practical temporary housing options within a reasonable commuting distance due to a lack of available rental resources. FEMA indicates that, to qualify for disaster assistance, the applicant must be either a United States citizen, non-citizen national, or qualified non-citizen based on certain criteria.

The federal Fair Housing Act, originally enacted in 1968, currently prohibits direct providers of housing from engaging in discrimination on the basis of race, religion, sex, national origin, familial status, or disability. These housing providers may include landlords, real estate companies, municipalities, banks and other lending institutions, and homeowners insurance companies.

House Bill 3462 A directs the Oregon Department of Emergency Management (OEM), Oregon Housing and Community Services (OHCS), or Department of Human Services (DHS) to ensure temporary housing provided in

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response to emergencies is safe and complies with nondiscrimination laws. These agencies may provide potential recipients otherwise ineligible for federal resources, including ineligibility due to immigration status, equivalent resources as agency funding allows.

PRELIMINARY