

# House Bill 2839

Sponsored by Representative EVANS (Pre-session 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**.

Directs Oregon Tourism Commission to identify, designate and monitor tourism districts in this state.

Allows tourism district to apply to commission for assistance in obtaining grants from Oregon Business Development Department for community development and from Department of Transportation for community transit investments.

Allows tourism district to request assistance from commission in applying for and obtaining temporary waivers of land use and building code requirements and regulations of public entities.

Authorizes commission to identify and designate tourism and recreation activity that is live performance as priority tourism and recreation activity not subject to crime of unlawful recording of live performance.

## A BILL FOR AN ACT

1 Relating to tourism districts; creating new provisions; and amending ORS 164.873.

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

3 **SECTION 1. Section 2 of this 2023 Act is added to and made a part of ORS 284.101 to**  
4 **284.148.**

5 **SECTION 2. (1) As used in this section, "regional cooperative" means a regional council**  
6 **of governments created under ORS chapter 190, a city, a county, a local service district as**  
7 **defined in ORS 174.116 or any other public or private entity with a public interest in, and the**  
8 **ability to contribute to, the purpose and strategies of a tourism district created under this**  
9 **section.**

10 **(2)(a) In addition to the duties and purposes of the Oregon Tourism Commission, and in**  
11 **addition to other powers granted to the commission under ORS 284.101 to 284.148, the com-**  
12 **mission shall identify, designate and monitor tourism districts in this state.**

13 **(b) Tourism districts shall be designated by geographical region based on criteria deter-**  
14 **mined by the commission by rule including, but not limited to, the following:**

15 **(A) The existence of a cooperative strategy for tourism and recreation activities in the**  
16 **geographical region;**

17 **(B) The ability and willingness of a regional cooperative in the geographical region to**  
18 **initiate, develop, implement and maintain regional projects; and**

19 **(C) The ability and willingness of a regional cooperative in the geographical region to**  
20 **make annual reports to the commission of progress made toward strategic objectives.**

21 **(3) A tourism district designated by the commission under this section may apply to the**  
22 **commission for one or more of the following:**

23 **(a) Assistance in obtaining grants from the Oregon Business Development Department**  
24 **for community development related to tourism and recreation activities, if the purposes for**  
25 **which grants may be made are aligned with the strategic objectives of the tourism district.**

26 **(b) Assistance in obtaining grants from the Department of Transportation for community**

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 transit investments recommended and approved by the regional cooperative in the tourist  
2 district including, but not limited to:

3 (A) Intracommunity transit opportunities;

4 (B) Development of rural transportation routes to and from sites designated as tourism  
5 and recreation priorities in the tourism district; and

6 (C) Projects that benefit the public interest in the tourism district by increasing access  
7 to and reliability of transit to and from areas of scenic interest in the tourism district.

8 (c) Assistance in applying for and obtaining temporary waivers for a minimum period of  
9 three years of certain land use and building code requirements and regulations of public en-  
10 tities where permitted under applicable state law. The temporary waivers would modify, re-  
11 move or not apply one or more land use regulations so as to allow the tourism district to  
12 use property for tourism and recreation activities that have been identified by the tourism  
13 district as priority tourism and recreation activities, subject to revocation upon any  
14 noncompliant or unauthorized use.

15 (d) Identification and designation of a tourism and recreation activity that is a live per-  
16 formance as defined in ORS 164.864 as a priority tourism and recreation activity for the  
17 tourism district in which the live performance takes place for purposes of ORS 164.869 and  
18 164.873, with or without the consent of the performer of the live performance.

19 **SECTION 3.** ORS 164.873 is amended to read:

20 164.873. (1) The provisions of ORS 164.872 and 164.875 do not apply to:

21 (a) The production of a videotape of a motion picture that is defined as a public record under  
22 ORS 192.005 (5), in accordance with ORS 192.005 to 192.170 or 357.805 to 357.895.

23 (b) The production of a videotape of a motion picture that is defined as a legislative record un-  
24 der ORS 171.410, in accordance with ORS 171.410 to 171.430.

25 (2) The provisions of ORS 164.865, 164.868, 164.869 (1) and (2) and 164.875 do not apply to the  
26 reproduction of:

27 (a) Any recording that is used or intended to be used only for broadcast by educational radio  
28 or television stations.

29 (b) A sound recording, or the production of a videotape of a motion picture, that is defined as  
30 a public record under ORS 192.005 (5), with or without charging and collecting a fee therefor, in  
31 accordance with ORS 192.005 to 192.170 or 357.805 to 357.895.

32 (c) A sound recording defined as a legislative record under ORS 171.410, with or without  
33 charging and collecting a fee therefor, in accordance with ORS 171.410 to 171.430.

34 (d) Any recording of a live performance that has been identified and designated by the  
35 Oregon Tourism Commission as a priority tourism and recreation activity of a tourism dis-  
36 trict, in accordance with section 2 of this 2023 Act.

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