

House Bill 3217

Sponsored by Representative TRAN

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**.

Requires that statewide land use planning goal relating to citizen involvement incorporate environmental justice practices.

Requires Land Conservation and Development Commission to amend goal by June 30, 2025, consistent with requirement. Establishes timelines for compliance with amended goal.

A BILL FOR AN ACT

1
2 Relating to environmental justice in land use planning.

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

4 **SECTION 1. Sections 2 to 4 of this 2023 Act are added to and made a part of ORS chapter**
5 **197.**

6 **SECTION 2. (1) As used in this section, "environmental justice practice" means a prac-**
7 **tice designed to ensure the equal protection from environmental and health risks, and the**
8 **fair treatment and meaningful involvement in decision-making, of all people regardless of**
9 **race, color, national origin, immigration status, income or other identities with respect to**
10 **the development, implementation and enforcement of laws, regulations and policies that af-**
11 **fect the environments in which people live, work, learn and practice spirituality and culture.**

12 **(2) The Land Conservation and Development Commission shall include within the goals**
13 **and guidelines described in ORS 197.225 a statewide land use planning goal that directs gov-**
14 **ernments to incorporate environmental justice practices in land use planning and decision-**
15 **making, with special emphasis on planning or decision-making that involves the siting of**
16 **facilities that require a permit issued by the Department of Environmental Quality for the**
17 **operation of the facility.**

18 **SECTION 3. The Land Conservation and Development Commission shall amend the**
19 **statewide land use planning goal relating to citizen involvement consistent with section 2 of**
20 **this 2023 Act and the following:**

21 **(1) The commission shall adopt the amendment under ORS 183.325 to 183.410,**
22 **notwithstanding ORS 197.230, 197.235, 197.240 or 197.245.**

23 **(2) The Department of Land Conservation and Development shall appoint an advisory**
24 **committee under ORS 183.333 consisting of a broad, diverse group of stakeholders, including**
25 **representatives of environmental justice communities, as defined in ORS 182.535.**

26 **(3) The department shall hold at least one public hearing in each of the congressional**
27 **districts in this state.**

28 **(4) At least 60 days prior to adopting the amended goal, the commission shall present**
29 **draft goal language to an appropriate committee or interim committee of the Legislative**
30 **Assembly.**

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 (5) The commission must hold at least one public hearing regarding the draft goal lan-
2 guage before, and separate from, the meeting at which the commission adopts the amended
3 goal.

4 (6) The commission shall adopt the final amended goal on or before June 30, 2025.
5 Notwithstanding ORS 197.245, the goal is effective 30 days after adoption.

6 (7) The commission shall rename the statewide land use planning goal relating to citizen
7 involvement to reflect, to the greatest extent possible, the broadest and most inclusive public
8 engagement and participation in land use planning and decision-making processes by all
9 members of the community, including environmental justice communities, as defined in ORS
10 182.535.

11 (8) The commission or department may request the assistance of any state agency, public
12 or private organization, including federal agencies, other states and universities, in the
13 amendment and adoption of the goal.

14 **SECTION 4.** Notwithstanding ORS 197.250, comprehensive plans, land use regulations,
15 plans and zoning ordinances must comply with the changes to the statewide land use plan-
16 ning goals under section 2 of this 2023 Act on or before the date:

17 (1) 90 days after the adoption of the changes for state agencies, for cities with a popu-
18 lation of more than 25,000 and for counties with a population of more than 250,000.

19 (2) 270 days after the adoption of the changes for cities with a population of at least
20 10,000 and not more than 25,000 and for counties with a population of at least 100,000 and not
21 more than 250,000.

22 (3) 540 days after the adoption of the changes for cities with a population of less than
23 10,000 and for counties with a population of less than 100,000.

24 **SECTION 5.** (1) Sections 3 and 4 of this 2023 Act are repealed on January 2, 2028.

25 (2) The repeal of sections 3 and 4 of this 2023 Act by this section does not affect an
26 amendment to a statewide land use planning goal adopted under section 3 of this 2023 Act.

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