

Requested by Senator JAMA

**PROPOSED AMENDMENTS TO
SENATE BILL 893**

1 In line 2 of the printed bill, after “homelessness” insert “; creating new
2 provisions; amending ORS 456.625 and 458.650; and declaring an
3 emergency”.

4 Delete lines 4 through 8 and insert:

5 **“SECTION 1. (1) The Housing and Community Services Department**
6 **shall engage in efforts under this section to modify the state’s funding**
7 **structure, based on the recommendations from the Task Force on**
8 **Homelessness and Racial Disparities under section 7, chapter 448,**
9 **Oregon Laws 2021.**

10 **“(2) To implement the recommendations from the Task Force on**
11 **Homelessness and Racial Disparities, the department may create**
12 **committees and advisory committees for consideration of rules, as**
13 **provided under ORS 183.333, to help ensure stakeholder engagement**
14 **and input, and to assist in designing policy frameworks, including**
15 **funding mechanisms, allocations or formulas for developing allo-**
16 **cations, for programs by:**

17 **“(a) The nine federally recognized Indian tribes within Oregon, as**
18 **determined in partnership with each tribe;**

19 **“(b) Community action agencies, including antipoverty initiatives**
20 **that intersect with homelessness priorities;**

21 **“(c) Continuums of care, as defined in 24 C.F.R. part 578, and local**

1 **planning groups, including coordinated homeless response offices es-**
2 **tablished under section 1 (1), chapter 70, Oregon Laws 2022; and**

3 **“(d) Organizations that are culturally specific, culturally responsive**
4 **and culturally based, and other organizations that are focused on re-**
5 **ducing disparities where there is a demonstrated overrepresentation**
6 **in homelessness.**

7 **“(3) On or before March 15, 2024, the department shall provide a**
8 **report to a committee of the Legislative Assembly related to housing,**
9 **in the manner provided in ORS 192.245, on:**

10 **“(a) Implementing the statutory policy frameworks for changes in**
11 **the state’s investments for implementation of the recommendations**
12 **described in this section for the biennium beginning July 1, 2025; and**

13 **“(b) Recommendations for statutorily modifying other homeless**
14 **service programs that the department operates as a result of the**
15 **changes described in paragraph (a) of this subsection.**

16 **“(4) In implementing the recommendations described in subsection**
17 **(1) of this section, the department shall utilize outcome-oriented con-**
18 **tracting processes or evidence-based and emerging practices for the**
19 **programs and policies developed under subsection (2) of this section,**
20 **including evidence-based and emerging practices for serving rural**
21 **communities.**

22 **“SECTION 2. Section 1 of this 2023 Act is repealed on January 2,**
23 **2026.**

24 **“SECTION 3. ORS 456.625 is amended to read:**

25 **“456.625. The Housing and Community Services Department may:**

26 **“(1) Undertake and carry out studies and analyses of housing needs**
27 **within the state and ways of meeting such needs and make the results of**
28 **such studies and analyses available to the public, qualified housing sponsors**
29 **and the private housing sector.**

30 **“(2) Prepare proposals on measures it considers necessary to address ad-**

1 ministration, housing programs or community services programs.

2 “(3) With the approval of the Oregon Housing Stability Council, assess
3 fees, charges or interest in connection with housing programs.

4 “(4) Encourage community organizations to assist in initiating housing
5 projects for persons and families of lower income.

6 “(5) Encourage the salvage of usable housing scheduled for demolition or
7 dislocation because of highway, school, urban renewal or other public
8 projects by seeking authority for the public agencies involved in such pro-
9 grams to use the funds provided for the demolition or relocation of such
10 buildings to enable qualified housing sponsors to relocate and rehabilitate
11 such buildings for use by persons and families of lower income.

12 “(6) Encourage research and demonstration projects to develop techniques
13 and methods for increasing the supply of adequate, decent, safe and sanitary
14 housing for persons and families of lower income.

15 “(7) Make or participate in the making of residential loans to qualified
16 individuals or housing sponsors to provide for the acquisition, construction,
17 improvement, rehabilitation or permanent financing of residential housing
18 or housing development; undertake commitments to make residential loans;
19 purchase and sell residential loans at public or private sale; modify or alter
20 such mortgages or loans; foreclose on any such mortgage or security interest
21 or commence any action to protect or enforce any right conferred upon the
22 department by any law, mortgage, security, agreement, contract or other
23 agreement and to bid for and purchase property that is subject to such
24 mortgage or security interest at any foreclosure or other sale; acquire or
25 take possession of any such property and complete, administer, conserve,
26 improve and otherwise use the property to accomplish the department’s pur-
27 poses, pay the principal and interest on any obligations incurred in con-
28 nection with such property and dispose of such property in such manner as
29 the department determines necessary to protect its interests under ORS
30 456.515 to 456.725 and ORS chapter 458.

1 “(8) Unless specifically exempted by the State Treasurer, deposit with the
2 State Treasurer any funds held in reserve or sinking funds under ORS 456.515
3 to 456.725 and ORS chapter 458 and any other moneys not required for im-
4 mediate use or disbursement by the department, subject to the provisions of
5 any agreement with holders of bonds entered into prior to October 15, 1983.

6 “(9) Advise and assist in the creation of any nonprofit housing corpo-
7 ration, consumer housing cooperative or limited dividend housing sponsor
8 and give approval of the articles of incorporation and bylaws of any such
9 organization in carrying out ORS 456.515 to 456.725.

10 “(10) Cooperate with and exchange services, personnel and information
11 with any federal, state or local governmental agency.

12 “(11) With the approval of the State Treasurer, contract for the services
13 of and consultation with trustees, investment and financial advisors, paying
14 agents, remarketing agents and other professional persons or organizations
15 in carrying out ORS 456.515 to 456.725 and ORS chapter 458.

16 “(12) Contract for, act on or perform any other duties that the department
17 considers necessary or appropriate to carry out housing programs and com-
18 munity services programs, including but not limited to contracting to provide
19 compliance monitoring or other administrative functions with respect to
20 housing developments and affordable housing, whether or not the housing
21 developments or affordable housing receives department funding and whether
22 or not the housing developments or affordable housing is located within this
23 state. For purposes of this subsection, ‘affordable housing’ has the meaning
24 given that term in ORS 456.055.

25 “(13) Purchase, service, sell and make commitments to purchase, service
26 and sell residential loans to the extent permitted by ORS 456.635 and 456.640
27 (1) to (3).

28 “(14) Initiate or assist appropriate state agencies, governmental bodies
29 and public or private housing sponsors in the development, construction,
30 acquisition, ownership, leasing, rehabilitation or management of housing to

1 carry out the purposes of ORS 456.515 to 456.725 and ORS chapter 458 where
2 such housing is not otherwise affordable or available in the area.

3 “(15) Execute and record written instruments that contain terms, includ-
4 ing but not limited to restrictive covenants or equitable servitudes, pertain-
5 ing to the use and enjoyment of housing projects. Notwithstanding any other
6 provision of law, the executed instruments shall constitute and create re-
7 strictive covenants affecting and running with the property according to the
8 terms of the instruments when recorded in the records of the county where
9 the property is located. County clerks shall accept the instruments for re-
10 cording when presented by or on behalf of the department.

11 “(16) Subject to the provisions of any agreement then existing with
12 bondholders, make available funds by contract, grant, loan or otherwise, in-
13 cluding loan guarantees, insurance or other financial leveraging techniques,
14 from moneys made available by the department to carry out the purposes of
15 ORS 456.515 to 456.725, if such moneys are not needed for the operations of
16 the department or otherwise determined by the Director of the Housing and
17 Community Services Department to be a necessary or prudent reserve.

18 “(17) *[With the approval of the Oregon Housing Stability Council,]* **Not-**
19 **withstanding ORS 456.561**, award grants to private or public entities to
20 support or develop programs **and services** that build on successful **or in-**
21 **novative** strategies *[that help individuals obtain and retain housing]* **to**
22 **prevent and end homelessness, and may adopt rules for implementing**
23 **such programs and services**, including *[through]* **the following:**

24 “(a) Tenant education services for low-income tenants, including Rent
25 Guarantee Program training under ORS 456.608 (3);

26 “(b) Fair housing training **and outreach** for tenants and landlords;

27 “(c) Technological innovations **and investments** that help low-income
28 individuals find and access available rental housing **and services**; *[and]*

29 “(d) **Acquisition, construction, renovation and operation of emer-**
30 **gency shelters and transitional housing, outreach and attendant ser-**

1 vices, as well as supportive housing services designed to sustain
2 housing, including those that support the diverse needs of those ex-
3 perienceing homelessness;

4 “(e) Homelessness system improvements such as capacity building
5 resources, planning resources, implementation and operation of advi-
6 sory groups, technical assistance resources and investments to im-
7 prove and obtain qualitative and quantitative data about housing and
8 homelessness, including through direct engagement with people with
9 lived experience of homelessness or housing instability;

10 “(f) Services designed to prevent evictions and homelessness, in-
11 cluding long term and emergency rental assistance, legal services for
12 those facing eviction, eviction prevention mediation services and case
13 management;

14 “(g) Individualized and culturally responsive interventions designed
15 to provide support to specific populations of people experiencing
16 homelessness or housing instability;

17 “(h) Delivery of programs and services designed to reduce poverty,
18 including those programs and services that are in alignment with
19 federal resources such as the Community Services Block Grant; and

20 “[d)] (i) Other education, services or resources for low-income tenants
21 and prospective tenants and for landlords who serve low-income tenants,
22 including landlord incentive programs to encourage greater access to
23 units for low-income tenants.

24 “**SECTION 4.** ORS 458.650 is amended to read:

25 “458.650. (1) The Housing and Community Services Department shall ad-
26 minister the Emergency Housing Account to assist homeless individuals and
27 individuals who are at risk of becoming homeless, through means including
28 the emergency housing assistance program and the state homeless assistance
29 program. Notwithstanding subsection (3)(a) of this section, the state
30 homeless assistance program shall serve individuals experiencing

1 homelessness, especially unsheltered homelessness, without respect to in-
2 come.

3 “(2) The Oregon Housing Stability Council shall develop a policy for the
4 use of program funds with the advice of:

5 “(a) Persons who have experienced housing instability;

6 “(b) Tribes;

7 “(c) The Community Action Partnership of Oregon;

8 “(d) Continuums of care, as defined in 24 C.F.R. part 578;

9 “(e) Local governments;

10 “(f) Nonprofit organizations;

11 “(g) Homeless services providers;

12 “(h) Culturally specific organizations;

13 “(i) Housing providers;

14 “(j) Veterans’ services organizations; and

15 “(k) Other entities identified by the department by rule.

16 “(3) The policy under subsection (2) of this section shall direct that pro-
17 gram funds shall be used:

18 “(a) To provide to low and very low income individuals, including but not
19 limited to individuals more than 65 years of age, persons with disabilities,
20 agricultural workers and Native Americans:

21 “(A) Emergency shelters and attendant services;

22 “(B) Transitional housing services designed to assist individuals to make
23 the transition from homelessness to permanent housing and economic inde-
24 pendence;

25 “(C) Supportive housing services to enable individuals to continue living
26 in their own homes or to provide in-home services for such individuals for
27 whom suitable programs do not exist in their geographic area;

28 “(D) Programs that provide emergency payment of home payments, rents
29 or utilities; or

30 “(E) Some or all of the needs described in subparagraphs (A) to (D) of this

1 paragraph.

2 “(b) To align with federal strategies and resources that are available to
3 prevent and end homelessness, including the requirement of providing cul-
4 turally responsive services and using evidence-based and emerging practices
5 effective in ending homelessness, including practices unique to rural com-
6 munities.

7 “(4)(a) The council shall require as a condition of awarding a grant that
8 the organization demonstrate to the satisfaction of the [*council*] **department**
9 that the organization:

10 “(A) Has the capacity to deliver any service proposed by the organization;

11 “(B) Is a culturally responsive organization or is engaged in a process to
12 become a culturally responsive organization;

13 “(C) Engages with culturally specific organizations; and

14 “(D) Supports local homelessness system planning efforts.

15 “(b) Any funds granted under this section may not be used to replace ex-
16 isting funds. Funds granted under this section may be used to supplement
17 existing funds. An organization may use funds to support existing programs
18 or to establish new programs.

19 “(5) The department may expend funds from the account for:

20 “(a) The administration of the account as provided for in the legislatively
21 approved budget, as that term is defined in ORS 291.002, for the department
22 in support of directing a statewide policy on homelessness that ensures use
23 of evidence-based and emerging practices, service equity in funding and local
24 planning processes.

25 “(b) The development of technical assistance and training resources for
26 organizations developing and operating emergency shelters as defined in ORS
27 197.782 and transitional housing accommodations as described in ORS
28 197.746.

29 “(6) The department shall utilize outcome-oriented contracting processes
30 and evidence-based and emerging practices for account program funds, in-

1 cluding evidence-based and emerging practices for serving rural communities.

2 “(7) Twenty-five percent of moneys deposited in the account pursuant to
3 ORS 294.187 are dedicated to the emergency housing assistance program for
4 assistance to veterans who are homeless or at risk of becoming homeless.

5 **“SECTION 5. This 2023 Act being necessary for the immediate
6 preservation of the public peace, health and safety, an emergency is
7 declared to exist, and this 2023 Act takes effect on its passage.”.**

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