

A-Engrossed Senate Bill 1529

Ordered by the Senate February 14
Including Senate Amendments dated February 14

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Interim Committee on Housing and Development)

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. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act makes changes to the OHA air conditioner and filter program and to the OHCS landlord guarantee program. The Act goes into effect when the Governor signs it. (Flesch Readability Score: 63.7).

[Digest: Makes OHCS study and report on housing. (Flesch Readability Score: 78.8).]

[Requires the Housing and Community Services Department to study housing and to submit a report to the relevant interim committees of the Legislative Assembly no later than September 15, 2025.]

Amends the Oregon Health Authority residential air conditioner and air filter delivery program. Allows the Housing and Community Services Department to establish a maximum reimbursement to landlords under the Housing Choice Landlord Guarantee Program.

Declares an emergency; effective on passage.

A BILL FOR AN ACT

1
2 Relating to housing; amending ORS 431A.430 and 456.378; and declaring an emergency.

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

4 **SECTION 1.** ORS 431A.430 is amended to read:

5 431A.430. (1) As used in this section:

6 (a) "Air conditioner" means a portable, stand-up air conditioner that has an energy efficiency
7 ratio rating of eight or higher.

8 (b)(A) "Air filter" means an air filtering device that uses a high-efficiency particulate air
9 (HEPA) filter to remove contaminating particles from the air.

10 (B) "Air filter" does not include a device that is labeled an "air purifier" and that uses an
11 electrostatic or ionizing process.

12 (c) "Eligible distribution entity" means a:

13 (A) Local government as defined in ORS 174.116;

14 (B) Local housing authority;

15 (C) Nonprofit organization;

16 (D) Federally recognized Indian tribe in Oregon;

17 (E) Indian health center;

18 (F) Coordinated care organization as defined in ORS 414.025;

19 (G) Community action agency as described in ORS 458.505;

20 (H) Manufactured dwelling park nonprofit cooperative as defined in ORS 62.803;

21 (I) Landlord that has a residential tenant who has received medical assistance through the
22 Oregon Health Authority, the Department of Human Services or Medicare within the past 12

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 months;
- 2 (J) Electric utility as defined in ORS 757.600; or
- 3 (K) Natural gas utility as defined in ORS 757.392.
- 4 (d) “Medical assistance” has the meaning given that term in ORS 414.025.
- 5 (2)(a) The Oregon Health Authority shall create a program to:
- 6 (A) Acquire a supply of air conditioners and air filters; and
- 7 (B) Distribute the air conditioners and air filters to eligible distribution entities that will pro-
- 8 vide the air conditioners and air filters [*on an emergency basis*] **for an emergency or anticipated**
- 9 **emergency** to eligible individuals as described in subsection (4) of this section.
- 10 (b) The Oregon Health Authority may provide or contract with one or more third parties to
- 11 administer the program.
- 12 (3) The administrator of the program shall:
- 13 (a) Determine the percentage of program funds needed to support the costs of installation and
- 14 materials for installation.
- 15 (b) Determine the percentage of program funds, but no more than 10 percent of program funds,
- 16 needed to cover the costs of the authority or a third party or parties and eligible distribution enti-
- 17 ties in administering the program.
- 18 (c) Make technical assistance resources available to individuals who receive an air conditioner
- 19 or air filter under the program that answer questions about the installation, use and maintenance
- 20 of the air conditioners and air filters.
- 21 (d) Provide [*technical assistance*] to eligible distribution entities[.];
- 22 (A) **Technical assistance**, including assistance that supports the distribution, installation and
- 23 maintenance of the air conditioners and air filters[.]; **and**
- 24 (B) **Reimbursement for costs of identifying eligible Oregonians, delivering devices, pro-**
- 25 **viding utility supports when otherwise not available and ensuring that devices are installed**
- 26 **and working properly.**
- 27 (4) An eligible distribution entity may distribute air conditioners and air filters under this sec-
- 28 tion only to individuals who:
- 29 (a) Are eligible to receive medical assistance through the Oregon Health Authority, the De-
- 30 partment of Human Services or Medicare, **including under the Cover All People program estab-**
- 31 **lished in ORS 414.231**, or have received any of these services in the past 12 months;
- 32 (b) Reside in any type of housing or recreational vehicle, as defined in ORS 174.101, that has
- 33 electricity for operating the air conditioner or air filter; and
- 34 (c) Upon receiving an air conditioner or air filter, provide an attestation that the individual can
- 35 safely and legally install the air conditioner or air filter in the individual’s home or recreational
- 36 vehicle.
- 37 (5) The Oregon Health Authority shall make available a list of eligible distribution entities
- 38 participating in the program to:
- 39 (a) Individuals who are eligible to receive medical assistance through the Oregon Health Au-
- 40 thority or Department of Human Services.
- 41 (b) The 2-1-1 system provided for in ORS 403.400 to 403.430.
- 42 (c) The Housing and Community Services Department.
- 43 (6) The Oregon Health Authority and any eligible distribution entity participating in the pro-
- 44 gram are immune from civil liability for:
- 45 (a) The functioning, safety or impact of any air conditioner or air filter distributed by the pro-

1 gram.

2 (b) Any heat-related health impacts to an individual using an air conditioner or air filter dis-
3 tributed by the program.

4 (7) The Oregon Health Authority shall adopt rules to implement the program.

5 **SECTION 2.** ORS 456.378 is amended to read:

6 456.378. (1) The Housing and Community Services Department shall develop and implement the
7 Housing Choice Landlord Guarantee Program for the purpose of providing financial assistance to
8 landlords to mitigate damages caused by tenants who have received rental assistance:

9 (a) Under the Housing Choice Voucher Program; or

10 (b) From a rehousing initiative under section 4, 5 or 11, chapter 15, Oregon Laws 2023.

11 (2) Landlords that are eligible for assistance under the Housing Choice Landlord Guarantee
12 Program must submit an application in the form and format prescribed by the department. Assist-
13 ance is limited to reimbursement for only those amounts that are related to property damage, unpaid
14 rent or other damages:

15 (a) Caused by tenants described in subsection (1) of this section;

16 (b) That exceed normal wear and tear; and

17 (c) That, **per tenancy**, are in excess of \$500 but not more than [*\$5,000 per tenancy*] **a maximum**
18 **amount established by the department by rule.**

19 (3) A landlord must submit an application for assistance to the department within one year fol-
20 lowing the later of the date that:

21 (a) The tenancy terminates;

22 (b) The landlord obtains possession of the dwelling unit; or

23 (c) Payments from the Housing Choice Voucher Program to the landlord terminate.

24 (4) The department may contract with a public or private provider for the administration of the
25 Housing Choice Landlord Guarantee Program. The department is not subject to the provisions of
26 ORS chapter 279A or 279B in awarding a contract under the provisions of this subsection. The de-
27 partment shall establish by rule procedures for inviting proposals and awarding contracts under this
28 subsection.

29 (5) The department shall adopt rules to implement the provisions of this section, including but
30 not limited to prescribing additional qualifications and requirements that must be met by landlords
31 and the form of application that must be submitted to the department to receive assistance under
32 the program.

33 **SECTION 3. This 2024 Act being necessary for the immediate preservation of the public**
34 **peace, health and safety, an emergency is declared to exist, and this 2024 Act takes effect**
35 **on its passage.**

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