

**SB 59 STAFF MEASURE SUMMARY**

**Senate Committee On Housing and Development**

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**Meeting Dates:** 2/10

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**WHAT THE MEASURE DOES:**

The measure allows persons living in planned communities to grow a garden or raise hens or bees.

Detailed Summary:

Provides that any provision in a planned community’s governing document that prohibits or restricts the use of a lot for gardening, hen-keeping or bee-keeping is void and unenforceable. Requires that such provisions are void and unenforceable except when consistent with applicable laws or ordinances, or when requiring food production to be performed in a competent and proficient manner. Establishes legislative intent.

*Fiscal impact: May have fiscal impact, but no statement yet issued*

*Revenue impact: May have revenue impact, but no statement yet issued*

**ISSUES DISCUSSED:**

**EFFECT OF AMENDMENT:**

No amendment.

**BACKGROUND:**

Planned communities, defined by Oregon statute 94.550, include any subdivision resulting in a pattern of ownership of real property and the buildings and improvements in which owners are collectively responsible for maintenance, operation, insurance, or other expenses relating to the property. This type of planned community is commonly referred to as being governed by a Homeowners Association, or HOA. Condominiums, exclusively commercial and industrial developments, and timeshare plans are excluded from the definition. Governing documents for these communities include provisions relating to common ownership and maintenance of the community and are binding upon those owning plots in the community and their tenants.