

House Bill 3971

Sponsored by Representative FRAGALA, Senator PROZANSKI; Representatives FAHEY, NATHANSON, Senator MANNING JR

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

Digest: This Act requires counties in the valley to approve a land use application for a landfill. (Flesch Readability Score: 63.6).

Requires counties to approve a land use application to develop a mixed-waste facility on certain lands in the Willamette Valley.

Declares an emergency, effective on passage.

A BILL FOR AN ACT

Relating to solid waste disposal in the Willamette Valley; and declaring an emergency.

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

SECTION 1. Section 2 of this 2025 Act is added to and made a part of ORS 459.005 to 459.437.

SECTION 2. (1) The Legislative Assembly finds and declares that short-term and long-term solid waste disposal in the Willamette Valley is a matter of statewide concern.

(2) Notwithstanding any provision of ORS chapter 92, 195, 197 or 215, any statewide land use planning goal, rule of the Land Conservation and Development Commission or local land use regulation, zoning ordinance, regional framework plan, functional plan or comprehensive plan, or any county ordinance, a county shall approve a land use application for an integrated materials and energy recovery facility if the facility will be sited on land that is:

(a) Owned by a local government unit;

(b) Located in the Willamette Valley, as defined in ORS 215.010; *LANE County*

(c) Located outside of any urban growth boundary; and

(d) Zoned to allow for industrial, light industrial or public facilities uses.

(3)(a) A local government may *NOT* approve or deny an application for a facility under this section without a hearing. ~~Whether a hearing is held,~~ the approval or denial is not a land use decision and is subject to review only under ORS 34.010 to 34.100.

(b) A reviewing court shall award attorney fees to a county, and any intervening applicant, that prevails on the appeal of a county's approval under this section.

(4) As used in this section, "integrated materials and energy recovery facility" means a facility that includes equipment for mixed waste processing, sorting lines for processing commingled recycling and an anaerobic digester to produce biogas from diverted organic waste.

SECTION 3. Section 2 of this 2025 Act is repealed on January 2, 2028.

SECTION 4. This 2025 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2025 Act takes effect

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.

HB 3971-2
(LC 4897)
5/20/25 (RLM/ps)

Requested by Senator PROZANSKI

**PROPOSED AMENDMENTS TO
HOUSE BILL 3971**

1 On page 1 of the printed bill, line 17, after “may” insert “not”.

2 In line 18, delete “Whether a hearing is held,”.

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