

House Bill 2696

Sponsored by Representative WALLAN; Representatives EVANS, LIVELY, MCINTIRE (Pre-session filed.)

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: The Act would make clear that the laws for the storage of the personal property of the homeless apply when it is removed from a public camping site. (Flesch Readability Score: 60.5).

Specifies that the laws governing the storage of the personal property of homeless individuals applies to personal property removed from a public camping site.

Declares an emergency, effective on passage.

A BILL FOR AN ACT

1 Relating to camping sites on public property; amending ORS 195.505; and declaring an emergency.

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

3 **SECTION 1.** ORS 195.505 is amended to read:

4 195.505. (1) A policy developed pursuant to ORS 195.500 shall conform, but is not limited, to the
5 following provisions.

6 (2) As used in this section, "personal property" means any item that can reasonably be identified
7 as belonging to an individual and that has apparent value or utility.

8 (3) Except as provided in subsection (9) of this section, at least 72 hours before removing
9 homeless individuals from an established camping site, law enforcement officials shall post a written
10 notice, in English and Spanish, at all entrances to the camping site to the extent that the entrances
11 can reasonably be identified.

12 (4)(a) When a 72-hour notice is posted, law enforcement officials shall inform the local agency
13 that delivers social services to homeless individuals as to where the notice has been posted.

14 (b) The local agency may arrange for outreach workers to visit the camping site that is subject
15 to the notice to assess the need for social service assistance in arranging shelter and other assist-
16 ance.

17 (5)(a) All personal property at *[the]* a camping site **on public property** that remains unclaimed
18 after removal shall be given to a law enforcement official, a local agency that delivers social ser-
19 vices to homeless individuals, an outreach worker, a local agency official or a person authorized to
20 issue a citation described in subsection (10) of this section, whether notice is required under sub-
21 section (3) of this section or not.

22 (b) The unclaimed personal property must be stored:

23 (A) For property removed from camping sites in counties other than Multnomah County, in a
24 facility located in the same community as the camping site from which it was removed.

25 (B) For property removed from camping sites in Multnomah County, in a facility located within
26 six blocks of a public transit station.

27 (c) Items that have no apparent value or utility or are in an insanitary condition may be im-
28 mediately discarded upon removal of the homeless individuals from the camping site.
29

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 (d) Weapons, controlled substances other than prescription medication and items that appear to
2 be either stolen or evidence of a crime shall be given to or retained by law enforcement officials.

3 (6) The written notice required under subsection (3) of this section must state, at a minimum:

4 (a) Where unclaimed personal property will be stored;

5 (b) A phone number that individuals may call to find out where the property will be stored; or

6 (c) If a permanent storage location has not yet been determined, the address and phone number
7 of an agency that will have the information when available.

8 (7)(a) The unclaimed personal property shall be stored in an orderly fashion, keeping items that
9 belong to an individual together to the extent that ownership can reasonably be determined.

10 (b) The property shall be stored for a minimum of 30 days during which it shall be reasonably
11 available to any individual claiming ownership. Any personal property that remains unclaimed after
12 30 days may be disposed of or donated to a corporation described in section 501(c)(3) of the Internal
13 Revenue Code as amended and in effect on December 31, 2020.

14 (8) Following the removal of homeless individuals from a camping site on public property, the
15 law enforcement officials, local agency officials and outreach workers may meet to assess the notice
16 and removal policy, to discuss whether the removals are occurring in a humane and just manner and
17 to determine if any changes are needed in the policy.

18 (9)(a) The 72-hour notice requirement under subsection (3) of this section does not apply:

19 (A) When there are grounds for law enforcement officials to believe that illegal activities other
20 than camping are occurring at an established camping site.

21 (B) In the event of an exceptional emergency at an established camping site, including, but not
22 limited to, possible site contamination by hazardous materials, a public health emergency or other
23 immediate danger to human life or safety.

24 (b) If a funeral service is scheduled with less than 72 hours' notice at a cemetery at which there
25 is a camping site, or a camping site is established at the cemetery less than 72 hours before the
26 scheduled service, the written notice required under subsection (3) of this section may be posted at
27 least 24 hours before removing homeless individuals from the camping site.

28 (10) A person authorized to issue a citation for unlawful camping under state law, administrative
29 rule or city or county ordinance may not issue the citation if the citation would be issued within
30 200 feet of a notice required under subsection (3) of this section and within two hours before or after
31 the notice was posted.

32 (11) Any law or policy of a city or county that is more specific or offers greater protections to
33 homeless individuals subject to removal from an established camping site preempts contrary pro-
34 visions of this section.

35 **SECTION 2. This 2025 Act being necessary for the immediate preservation of the public**
36 **peace, health and safety, an emergency is declared to exist, and this 2025 Act takes effect**
37 **on its passage.**

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