

Enrolled
House Bill 3144

Sponsored by Representative MARSH; Representative GAMBIA (Pre-session filed.)

CHAPTER

AN ACT

Relating to dwellings; amending ORS 93.277 and 94.776 and section 12, chapter 625, Oregon Laws 2019.

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

SECTION 1. ORS 93.277 is amended to read:

93.277. (1) A provision in a recorded instrument affecting real property is not enforceable if: [.] [(1)] the provision would allow the development of a single-family dwelling on the real property but would prohibit the development of, or the partitioning or subdividing of lands under ORS 92.031 for:

- (a) Middle housing, as defined in ORS 197A.420; [or]
- (b) An accessory dwelling unit allowed under ORS 197A.425 (1); [and]
- (c) A manufactured dwelling, as defined in ORS 446.003; or**
- (d) A prefabricated structure, as defined in ORS 197A.015.**

(2) **This section applies only if** the instrument:

(a) Contains a provision described under subsection (1)(a) or (b) of this section and was executed on or after January 1, 2021.

(b) Contains a provision described under subsection (1)(c) or (d) of this section and was executed on or after effective date of this 2025 Act.

SECTION 2. ORS 94.776 is amended to read:

94.776. (1) A provision in a governing document that is adopted or amended on or after January 1, 2020, is void and unenforceable to the extent that the provision would prohibit or have the effect of unreasonably restricting the development of, or the dividing of lands under ORS 92.031 for, housing that is otherwise allowable under the maximum density of the zoning for the land.

(2) Lots or parcels resulting from the division of land in a planned community are subject to the governing documents of the planned community and are allocated assessments and voting rights on the same basis as existing units.

(3) A provision in a governing document that is adopted or amended on or after effective date of this 2025 Act is void and unenforceable to the extent that the provision would prohibit or have the effect of unreasonably restricting the siting of a manufactured dwelling, as defined in ORS 446.003, or a prefabricated structure, as defined in ORS 197A.015, on a lot, including an accessory dwelling unit allowed under this section.

SECTION 3. Section 12, chapter 625, Oregon Laws 2019, as amended by section 4, chapter 334, Oregon Laws 2023, is amended to read:

Sec. 12. Sections 9 and 10, chapter 625, Oregon Laws 2019, are repealed January 2, [2027] 2031.

Passed by House March 31, 2025

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Timothy G. Sekerak, Chief Clerk of House

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Julie Fahey, Speaker of House

Passed by Senate May 27, 2025

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Rob Wagner, President of Senate

Received by Governor:

.....M,....., 2025

Approved:

.....M,....., 2025

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Tina Kotek, Governor

Filed in Office of Secretary of State:

.....M,....., 2025

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Tobias Read, Secretary of State