

House Bill 3144

Sponsored by Representative MARSH (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: This Act stops private bans on mobile homes and extends a program to fix conflicts in marinas and mobile home parks. (Flesch Readability Score: 68.6).

Prohibits new recorded instruments or governing documents of a planned community from banning the siting of manufactured dwellings or prefabricated structures.

Extends sunset until January 2, 2031, for Housing and Community Services Department grants for low-income facility tenant dispute resolution services and for the Manufactured and Marina Communities Dispute Resolution Advisory Committee.

A BILL FOR AN ACT

1
2 Relating to dwellings; amending ORS 93.277 and 94.776 and section 12, chapter 625, Oregon Laws
3 2019.

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

5 **SECTION 1.** ORS 93.277 is amended to read:

6 93.277. (1) A provision in a recorded instrument affecting real property is not enforceable if:]
7 [(1)] the provision would allow the development of a single-family dwelling on the real property
8 but would prohibit the development of, or the partitioning or subdividing of lands under ORS 92.031
9 for:

10 (a) Middle housing, as defined in ORS 197A.420; [or]

11 (b) An accessory dwelling unit allowed under ORS 197A.425 (1); [and]

12 **(c) A manufactured dwelling, as defined in ORS 446.003; or**

13 **(d) A prefabricated structure, as defined in ORS 197A.015.**

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

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

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

19 **SECTION 2.** ORS 94.776 is amended to read:

20 94.776. (1) A provision in a governing document that is adopted or amended on or after January
21 1, 2020, is void and unenforceable to the extent that the provision would prohibit or have the effect
22 of unreasonably restricting the development of, or the dividing of lands under ORS 92.031 for,
23 housing that is otherwise allowable under the maximum density of the zoning for the land.

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

27 **(3) A provision in a governing document that is adopted or amended on or after effective**
28 **date of this 2025 Act is void and unenforceable to the extent that the provision would prohibit**

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 or have the effect of unreasonably restricting the siting of a manufactured dwelling, as de-
2 fined in ORS 446.003, or a prefabricated structure, as defined in ORS 197A.015, on a lot, in-
3 cluding an accessory dwelling unit allowed under this section.

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

6 **Sec. 12.** Sections 9 and 10, chapter 625, Oregon Laws 2019, are repealed January 2, [2027]
7 **2031.**

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