

House Bill 3483

Sponsored by Representative JAVADI, Senators WEBER, STARR; Representative DRAZAN, Senator THATCHER

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 says that a homeless camp site must be occupied for 72 hours before a 72-hour notice of removal of the camp site may be posted. (Flesch Readability Score: 60.5).

Provides that a camping site is not "established" until it has been continuously occupied for 72 hours for purposes of the rule requiring 72-hour notice before homeless individuals may be removed from the camping site.

Declares an emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to established camping sites; amending ORS 195.505; and declaring an emergency.

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

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

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

7 (2) As used in this section[,]:

8 (a) **"Established" means having been continuously occupied for at least 72 hours.**

9 (b) "Personal property" means any item that can reasonably be identified as belonging to an
10 individual and that has apparent value or utility.

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

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

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

20 (5)(a) All personal property at the camping site that remains unclaimed after removal shall be
21 given to a law enforcement official, a local agency that delivers social services to homeless indi-
22 viduals, an outreach worker, a local agency official or a person authorized to issue a citation de-
23 scribed in subsection (10) of this section, whether notice is required under subsection (3) of this
24 section or not.

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

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

28 (B) For property removed from camping sites in Multnomah County, in a facility located within

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 six blocks of a public transit station.

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

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

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

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

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

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

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

13 (b) The property shall be stored for a minimum of 30 days during which it shall be reasonably
14 available to any individual claiming ownership. Any personal property that remains unclaimed after
15 30 days may be disposed of or donated to a corporation described in section 501(c)(3) of the Internal
16 Revenue Code as amended and in effect on December 31, 2020.

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

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

22 (A) When there are grounds for law enforcement officials to believe that illegal activities other
23 than camping are occurring at [*an established*] a camping site.

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

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

31 (10) A person authorized to issue a citation for unlawful camping under state law, administrative
32 rule or city or county ordinance may not issue the citation if the citation would be issued within
33 200 feet of a notice required under subsection (3) of this section and within two hours before or after
34 the notice was posted.

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

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