

Enrolled
Senate Bill 1099

Sponsored by Senators STARR, ANDERSON; Senators BONHAM, GORSEK, LINTHICUM, MCLANE, MEEK, ROBINSON, SMITH DB, SOLLMAN, WEBER, Representatives BOICE, DIEHL, ELMER, HARBICK, MCINTIRE, SCHARF, TRAN, WALTERS, WRIGHT

CHAPTER

AN ACT

Relating to use of real property for education; amending ORS 215.441 and 227.500; and declaring an emergency.

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

SECTION 1. ORS 215.441 is amended to read:

215.441. (1) If a church, synagogue, temple, mosque, chapel, meeting house or other nonresidential place of worship is allowed on real property under state law and rules and local zoning ordinances and regulations, a county shall allow the reasonable use of the real property for activities customarily associated with the practices of the religious activity, including:

- (a) Worship services.
- (b) Religion classes.
- (c) Weddings.
- (d) Funerals.
- (e) Meal programs.

(f) Child care **or any preschool or prekindergarten education**, but not *[including]* private or parochial *[school]* education for *[prekindergarten]* **kindergarten** through grade 12 or higher education.

(2) A county may:

(a) Subject real property described in subsection (1) of this section to reasonable regulations, including site review or design review, concerning the physical characteristics of the uses authorized under subsection (1) of this section; or

(b) Prohibit or restrict the use of real property by a place of worship described in subsection (1) of this section if the county finds that the level of service of public facilities, including transportation, water supply, sewer and storm drain systems is not adequate to serve the place of worship described in subsection (1) of this section.

(3) Notwithstanding any other provision of this section, a county may allow a private or parochial school for *[prekindergarten]* **kindergarten** through grade 12 or higher education to be sited under applicable state law and rules and local zoning ordinances and regulations.

SECTION 2. ORS 227.500 is amended to read:

227.500. (1) If a church, synagogue, temple, mosque, chapel, meeting house or other nonresidential place of worship is allowed on real property under state law and rules and local zoning ordinances and regulations, a city shall allow the reasonable use of the real property for activities customarily associated with the practices of the religious activity, including:

- (a) Worship services.
- (b) Religion classes.
- (c) Weddings.
- (d) Funerals.
- (e) Meal programs.

(f) Child care **or any preschool or prekindergarten education**, but not *[including]* private or parochial *[school]* education for *[prekindergarten]* **kindergarten** through grade 12 or higher education.

(2) A city may:

(a) Subject real property described in subsection (1) of this section to reasonable regulations, including site review and design review, concerning the physical characteristics of the uses authorized under subsection (1) of this section; or

(b) Prohibit or regulate the use of real property by a place of worship described in subsection (1) of this section if the city finds that the level of service of public facilities, including transportation, water supply, sewer and storm drain systems is not adequate to serve the place of worship described in subsection (1) of this section.

(3) Notwithstanding any other provision of this section, a city may allow a private or parochial school for *[prekindergarten]* **kindergarten** through grade 12 or higher education to be sited under applicable state law and rules and local zoning ordinances and regulations.

SECTION 3. 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 on its passage.

Passed by Senate April 9, 2025

Received by Governor:

Repassed by Senate May 27, 2025

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

Approved:

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Obadiah Rutledge, Secretary of Senate

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

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Rob Wagner, President of Senate

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Tina Kotek, Governor

Passed by House May 21, 2025

Filed in Office of Secretary of State:

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

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Julie Fahey, Speaker of House

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Tobias Read, Secretary of State