

# Senate Bill 1099

Sponsored by Senators STARR, ANDERSON; Senators BONHAM, GORSEK, LINTHICUM, MCLANE, MEEK, ROBINSON, SMITH DB, SOLLMAN, WEBER, Representatives ELMER, SCHARF

## 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 requires cities and counties to allow preschools on church properties. (Flesch Readability Score: 60.7).

Requires cities and counties to allow lands where worship is allowed to be used for preschool.

## A BILL FOR AN ACT

1  
2 Relating to use of real property for education; amending ORS 215.441 and 227.500.

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

4 **SECTION 1.** ORS 215.441 is amended to read:

5 215.441. (1) If a church, synagogue, temple, mosque, chapel, meeting house or other nonresiden-  
6 tial place of worship is allowed on real property under state law and rules and local zoning ordi-  
7 nances and regulations, a county shall allow the reasonable use of the real property for activities  
8 customarily associated with the practices of the religious activity, including:

9 (a) Worship services.

10 (b) Religion classes.

11 (c) Weddings.

12 (d) Funerals.

13 (e) Meal programs.

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

17 (2) A county may:

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

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

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

28 **SECTION 2.** ORS 227.500 is amended to read:

29 227.500. (1) If a church, synagogue, temple, mosque, chapel, meeting house or other nonresiden-  
30 tial place of worship is allowed on real property under state law and rules and local zoning ordi-

**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 nances and regulations, a city shall allow the reasonable use of the real property for activities  
2 customarily associated with the practices of the religious activity, including:

3 (a) Worship services.

4 (b) Religion classes.

5 (c) Weddings.

6 (d) Funerals.

7 (e) Meal programs.

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

11 (2) A city may:

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

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

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

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