

# Senate Bill 367

Sponsored by Senator SMITH DB (Presession 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: The Act stops the state from closing businesses when a state officer declares an emergency. The Act starts when the Act is signed. (Flesch Readability Score: 73.7).

Prohibits the Governor or a state officer or agency from requiring a lawful ongoing business concern to close or suspend operations during a declared state of emergency or a declared state of public health emergency.

Declares an emergency, effective on passage.

## A BILL FOR AN ACT

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2 Relating to prohibitions on business closures mandated by the executive branch; and declaring an  
3 emergency.

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

5 **SECTION 1. Section 2 of this 2025 Act is added to and made a part of ORS 401.165 to**  
6 **401.236.**

7 **SECTION 2. The Governor, and any state officer or agency in the executive branch, may**  
8 **not order any ongoing business concern to close or suspend operations under the authority**  
9 **of the other provisions of ORS 401.165 to 401.236, if the business concern was operating law-**  
10 **fully immediately prior to the declaration of a state of emergency under ORS 401.165.**

11 **SECTION 3. Section 4 of this 2025 Act is added to and made a part of ORS 433.441 to**  
12 **433.452.**

13 **SECTION 4. The Governor, and any state officer or agency in the executive branch, may**  
14 **not order any ongoing business concern to close or suspend operations under the authority**  
15 **of the other provisions of ORS 433.441 to 433.452, if the business concern was operating law-**  
16 **fully immediately prior to the declaration of a state of public health emergency under ORS**  
17 **433.441.**

18 **SECTION 5. This 2025 Act being necessary for the immediate preservation of the public**  
19 **peace, health and safety, an emergency is declared to exist, and this 2025 Act takes effect**  
20 **on its passage.**

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**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.