

Khamb Phan Chan

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Senate Bill 54

Report pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-meeting filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Interim Committee on Housing and Development)

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 makes landlords provide cooling for homes. (Flesch Readability Score: 82.3). Requires that residential tenants be provided with indoor cooling or cooling spaces for multiunit buildings with 10 units or more. Requires, by January 1, 2036, that all landlords provide indoor cooling.

Makes cooling an "essential service" for residential tenants.

Sunset, on January 1, 2036, the requirement that the Housing and Community Services Department provide cooling information for landlords. Sunset, on January 1, 2036, the requirement that the State Department of Energy provide grants for landlords to provide community cooling spaces.

A BILL FOR AN ACT

Relating to cooling for residential tenancies; creating new provisions; amending ORS 90.100, 90.320 and 90.355; and repealing ORS 458.395 and 469B.480.

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

SECTION 1. Section 2 of this 2025 Act is added to and made a part of ORS chapter 90.

SECTION 2. (1) On days when there is an outdoor temperature of more than 80 degrees Fahrenheit, a landlord of a multiunit structure with 10 or more dwelling units must provide cooling via:

(a) Effective methods, which may include central air conditioning, an air-source or ground-source heat pump, passive cooling design and techniques, or a portable air conditioning device that is provided by the landlord, capable of cooling and maintaining a room temperature in each bedroom of the dwelling that is not hotter than the lesser of 15 degrees Fahrenheit cooler than the outdoor temperature or 80 degrees Fahrenheit; or

(b) Access to a community cooling space as described in ORS 90.355 (3).

(c) A landlord of any dwelling for which building permits for its construction were issued on or after January 1, 2026, shall provide cooling via adequate cooling methods or facilities

(d) Provide cooling in at least one room of the dwelling unit, not including a bathroom;

(e) Conform to applicable law at the time of installation and are maintained in good working order; and

(f) May include central air conditioning, an air-source or ground-source heat pump, passive cooling design and techniques, a portable air conditioning device that is provided by the landlord or other devices or methods that can maintain a temperature not hotter than the lesser of 15 degrees cooler than the outside temperature or 80 degrees Fahrenheit.

SECTION 3. Section 2 of this 2025 Act is amended to read:

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Sec. 2. [(1)] On days when there is an outdoor temperature of more than 80 degrees Fahrenheit, a landlord [of a multiunit structure with 10 or more dwelling units] must provide cooling via[.]

[(a)] effective methods, which may include central air conditioning, an air-source or ground-source heat pump, passive cooling design and techniques, or a portable air conditioning device that is provided by the landlord, capable of cooling and maintaining a room temperature in each bedroom of the dwelling that is not hotter than the lesser of 15 degrees Fahrenheit cooler than the outdoor temperature or 80 degrees Fahrenheit[; or].

[(b) Access to a community cooling space as described in ORS 90.355 (3); and]

[(2) A landlord of any dwelling for which building permits for its construction were issued on or after January 1, 2026, shall provide cooling via adequate cooling methods or facilities that:]

[(a) Provide cooling in at least one room of the dwelling unit, not including a bathroom;]

[(b) Conform to applicable law at the time of installation and are maintained in good working order; and]

[(c) May include central air conditioning, an air-source or ground-source heat pump, passive cooling design and techniques, a portable air conditioning device that is provided by the landlord or other devices or methods that can maintain a temperature not hotter than the lesser of 15 degrees cooler than the outside temperature or 80 degrees Fahrenheit.]

SECTION 4. The amendments to section 2 of this 2025 Act by section 3 of this 2025 Act, the amendments to ORS 90.355 by section 8 of this 2025 Act and the repeal of ORS 458.395 and 469B.480 by section 5 of this 2025 Act become operative on January 1, 2026. *immediately*

SECTION 5. ORS 458.395 and 469B.480 are repealed.

SECTION 6. ORS 90.320 is amended to read:

90.320. (1) A landlord shall at all times, during the tenancy, maintain the dwelling unit in a habitable condition. For purposes of this section, a dwelling unit shall be considered uninhabitable if it substantially lacks:

(a) Effective waterproofing and weather protection of roof and exterior walls, including windows and doors;

(b) Plumbing facilities that conform to applicable law in effect at the time of installation and are maintained in good working order;

(c) A water supply approved under applicable law that is:

(A) Under the control of the tenant or landlord and is capable of producing hot and cold running water;

(B) Furnished to appropriate fixtures;

(C) Connected to a sewage disposal system approved under applicable law; and

(D) Maintained so as to provide safe drinking water and to be in good working order to the extent that the system can be controlled by the landlord;

(d) Adequate heating facilities that conform to applicable law, *cooling* at the time of installation and are maintained in good working order;

(e) Electrical lighting with wiring and electrical equipment that conform to applicable law at the time of installation and is maintained in good working order;

(f) Buildings, grounds and appurtenances at the time of the commencement of the rental agreement in every part safe for normal and reasonably foreseeable uses, clean, sanitary and free from all accumulations of debris, filth, rubbish, garbage, rodents and vermin, and all areas under control of the landlord kept in every part safe for normal and reasonably foreseeable uses, clean, sanitary and free from all accumulations of debris, filth, rubbish, garbage, rodents and vermin;

(g) Except as otherwise provided by local ordinance or by written agreement between the landlord and the tenant, an adequate number of appropriate receptacles for garbage and rubbish in clean condition and good repair at the time of the commencement of the rental agreement, and the landlord shall provide and maintain appropriate serviceable receptacles thereafter and arrange for their removal;

(h) Floors, walls, ceilings, stairways and railings maintained in good repair;

(i) Ventilating, air conditioning and other facilities and appliances, including elevators, maintained in good repair if supplied or required to be supplied by the landlord;

(j) Safety from fire hazards, including a working smoke alarm or smoke detector, with working batteries if solely battery-operated, provided only at the beginning of any new tenancy when the tenant first takes possession of the premises, as provided in ORS 479.270, but not to include the tenant's testing of the smoke alarm or smoke detector as provided in ORS 90.325 (1);

(k) A carbon monoxide alarm, and the dwelling unit:

(A) Contains a carbon monoxide source; or

(B) Is located within a structure that contains a carbon monoxide source and the dwelling unit is connected to the room in which the carbon monoxide source is located by a door, ductwork or a ventilation shaft;

(L) Working locks for all dwelling entrance doors, and, unless contrary to applicable law, latches for all windows, by which access may be had to that portion of the premises that the tenant is entitled under the rental agreement to occupy to the exclusion of others and keys for those locks that require keys; or

[(m) For a dwelling unit in a building where building permits for its construction were issued on or after April 1, 2024, adequate cooling facilities that:]

[(A) Provide cooling in at least one room of the dwelling unit, not including a bathroom;]

[(B) Conform to applicable law at the time of installation and are maintained in good working order; and]

[(C) May include central air conditioning, an air-source or ground-source heat pump or a portable air conditioning device that is provided by the landlord.]

(m) Cooling methods or facilities, as provided in section 2 of this 2025 Act.

(2) The landlord and tenant may agree in writing that the tenant is to perform specified repairs, maintenance tasks and minor remodeling only if:

(a) The agreement of the parties is entered into in good faith and not for the purpose of evading the obligations of the landlord;

(b) The agreement does not diminish the obligations of the landlord to other tenants in the premises; and

(c) The terms and conditions of the agreement are clearly and fairly disclosed and adequate consideration for the agreement is specifically stated.

(3) Any provisions of this section, that reasonably apply only to a structure that is used as a home, residence or sleeping place, do not apply to a manufactured dwelling, recreational vehicle or floating home, where the tenant owns the manufactured dwelling, recreational vehicle or floating home, rents the space and, in the case of a dwelling or home, the space is not in a facility. Manufactured dwelling or floating home tenancies in which the tenant owns the dwelling or home and rents space in a facility are governed by ORS 90.730 and not by this section.

SECTION 7. ORS 90.100 is amended to read:

90.100. As used in this chapter, unless the context otherwise requires: