

## SENATE AMENDMENTS TO SENATE BILL 154

By COMMITTEE ON HEALTH POLICY AND PUBLIC AFFAIRS

May 7

- 1 On page 1 of the printed bill, line 2, after “90.110,” insert “90.243,”.
- 2 In line 5, restore the bracketed material and delete the boldfaced material.
- 3 In line 6, delete “evading”.
- 4 Delete lines 11 through 14 and insert:
- 5 “(2) Residence in a Department of Human Services licensed program, facility or home described
- 6 in ORS 430.306 to 430.375, 430.380, 430.385, 430.395, 430.397 to 430.401, 430.405 to 430.565, 430.570,
- 7 430.590, 443.400 to 443.455 or 443.705 to 443.825.”.
- 8 On page 2, after line 3, insert:
- 9 “**SECTION 2.** ORS 90.243 is amended to read:
- 10 “90.243. (1) A dwelling unit qualifies as drug and alcohol free housing if:
- 11 “(a)(A) For premises consisting of more than eight dwelling units, the dwelling unit is one of at
- 12 least eight contiguous dwelling units on the premises that are designated by the landlord as drug
- 13 and alcohol free housing dwelling units and that are each occupied or held for occupancy by at least
- 14 one tenant who is a recovering alcoholic or drug addict and is participating in a program of re-
- 15 covery; or
- 16 “(B) For premises consisting of eight or fewer dwelling units, the dwelling unit is one of at least
- 17 four contiguous dwelling units on the premises that are designated by the landlord as drug and al-
- 18 cohol free housing dwelling units and that are each occupied or held for occupancy by at least one
- 19 tenant who is a recovering alcoholic or drug addict and is participating in a program of recovery;
- 20 “(b) The landlord is a nonprofit corporation incorporated pursuant to ORS chapter 65 or a
- 21 housing authority created pursuant to ORS 456.055 to 456.235;
- 22 “(c) The landlord provides for the designated drug and alcohol free housing dwelling units:
- 23 “(A) A drug and alcohol free environment, covering all tenants, employees, staff, agents of the
- 24 landlord and guests;
- 25 “(B) Monitoring of the tenants for compliance with the requirements described in paragraph (d)
- 26 of this subsection;
- 27 “(C) Individual and group support for recovery; and
- 28 “(D) Access to a specified program of recovery; and
- 29 “(d) The rental agreement for the designated drug and alcohol free housing dwelling unit is in
- 30 writing and includes the following provisions:
- 31 “(A) That the dwelling unit is designated by the landlord as a drug and alcohol free housing
- 32 dwelling unit;
- 33 “(B) That the tenant may not use, possess or share alcohol, illegal drugs, controlled substances
- 34 or prescription drugs without a medical prescription, either on or off the premises;
- 35 “(C) That the tenant may not allow the tenant’s guests to use, possess or share alcohol, illegal

1 drugs, controlled substances or prescription drugs without a medical prescription, on the premises;

2 “(D) That the tenant shall participate in a program of recovery, which specific program is de-  
3 scribed in the rental agreement;

4 “(E) That on at least a quarterly basis the tenant shall provide written verification from the  
5 tenant’s program of recovery that the tenant is participating in the program of recovery and that  
6 the tenant has not used alcohol or illegal drugs;

7 “(F) That the landlord has the right to require the tenant to take a test for drug or alcohol  
8 usage promptly and at the landlord’s discretion and expense; and

9 “(G) That the landlord has the right to terminate the tenant’s tenancy in the drug and alcohol  
10 free housing under ORS 90.392, 90.398 or 90.630 for noncompliance with the requirements described  
11 in this paragraph.

12 “(2) A dwelling unit qualifies as drug and alcohol free housing despite the premises not having  
13 the minimum number of qualified dwelling units required by subsection (1)(a) of this section if:

14 “(a) The premises are occupied but have not previously qualified as drug and alcohol free  
15 housing;

16 “(b) The landlord designates certain dwelling units on the premises as drug and alcohol free  
17 dwelling units;

18 “(c) The number of designated drug and alcohol free housing dwelling units meets the require-  
19 ment of subsection (1)(a) of this section;

20 “(d) When each designated dwelling unit becomes vacant, the landlord rents that dwelling unit  
21 to, or holds that dwelling unit for occupancy by, at least one tenant who is a recovering alcoholic  
22 or drug addict and is participating in a program of recovery and the landlord meets the other re-  
23 quirements of subsection (1) of this section; and

24 “(e) The dwelling unit is one of the designated drug and alcohol free housing dwelling units.

25 “(3) **A dwelling unit qualifies as drug and alcohol free housing if located in a self-run**  
26 **group recovery home that has shared living facilities and meets the description of a group**  
27 **home under 42 U.S.C. 300x-25.**

28 “[3] (4) The failure by a tenant to take a test for drug or alcohol usage as requested by the  
29 landlord pursuant to subsection (1)(d)(F) of this section may be considered evidence of drug or al-  
30 cohol use.

31 “[4] (5) As used in this section, ‘program of recovery’ means a verifiable program of counseling  
32 and rehabilitation treatment services, including a written plan, to assist recovering alcoholics or  
33 drug addicts to recover from their addiction to alcohol or illegal drugs while living in drug and al-  
34 cohol free housing. A ‘program of recovery’ includes Alcoholics Anonymous, Narcotics Anonymous  
35 and similar programs.”.

36 In line 4, delete “2” and insert “3”.

37 In line 9, delete “3” and insert “4”.