

**PRELIMINARY STAFF MEASURE SUMMARY**

CARRIER:

Senate Committee on Human Services and Early Childhood

**REVENUE: No revenue impact (-3)****FISCAL: Fiscal statement issued (indeterminate -3)****SUBSEQUENT REFERRAL TO: None****Action:****Vote:****Yeas:****Nays:****Exc.:****Prepared By:** Cheyenne Ross, Administrator**Meeting Dates:** 3/12, 4/16, 4/21

**WHAT THE MEASURE DOES:** Establishes Oregon Right to Rest Act. Enumerates rights of homeless persons in public spaces: to use, move freely, rest, take shelter, give/receive and eat food, meditate, engage in religious practice, and occupy vehicles, without harassment by law enforcement, security personnel, or local government. Creates private right of action and unlawful practice enforceable via Bureau of Labor and Industries.

**ISSUES DISCUSSED:**

- Homelessness as a result of economic downturn
- Homelessness as a lifestyle choice

**EFFECT OF COMMITTEE AMENDMENT:**

[-3 amendment] Replaces original bill. States that persons experiencing homelessness have privacy interest in personal property regardless of location. Defines “persons experiencing homelessness” and “public space.”

**BACKGROUND:** Strategies to assist with traditional homelessness – where individuals end up on the street against their wishes, as result of circumstances such as unemployment, or being bankrupted by the high cost of medical care, or suffering mental or emotional health issues, or addiction, or any combination of these – are inadequate at best and at worst, condescending to the population in need of support. In addition, features of modern homelessness – where individuals choose homelessness as a lifestyle or as a form of expression or protest – add layers of complication to the development of effective assistance. Further, every political subdivision has an interest not only in offering effective assistance, but in addressing attendant public health and safety issues related to hygiene, human waste, trash or other refuse, panhandling, blight/nuisance, conflict in campgrounds or other shared spaces, or conflict with business operations. An inherent tension exists between homeless persons concerned with their very survival, or making important political statements, and the authorities charged with enforcing laws that protect public health and safety generally.

Senate Bill 629 creates the Right to Rest Act in Oregon. It is a kind of “bill of rights” for homeless persons in public spaces that makes explicit their right to use the space, or occupy vehicles, for a variety of purposes, free of challenge by authorities.

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***This summary has not been adopted or officially endorsed by action of the committee.***

Committee Services Form – 2015 Regular Session