

SB 298 A STAFF MEASURE SUMMARY

Carrier: Sen. Dembrow

Senate Committee On Judiciary

Action Date: 04/13/17

Action: Do pass with amendments. (Printed A-Eng.)

Vote: 5-0-0-0

Yeas: 5 - Dembrow, Linthicum, Manning Jr, Prozanski, Thatcher

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

Prepared By: Josh Nasbe, Counsel

WHAT THE MEASURE DOES:

Extends sunset, from 2017 to 2021, on provisions granting Commissioner of Bureau of Labor and Industries discretion to seek civil penalties or appear in court on housing discrimination claims. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Litigation costs
- Contract with United States Housing and Urban Development expired
- Consistent with Commissioner's authority in employment discrimination and public accommodation discrimination matters

EFFECT OF AMENDMENT:

Replaces the measure.

BACKGROUND:

ORS 659A.820 to 659A.890 authorize the Commissioner of the Bureau of Labor and Industries to investigate and remedy housing discrimination. Prior to 2015, when the Bureau determined that there was substantial evidence to support a housing discrimination complaint, the Bureau was required to seek civil penalties if it was unable to settle the complaint. Similarly, the law required the Bureau to pursue a discrimination-related matter in court if either party elected to seek judicial remedies. In 2015, the Legislative Assembly granted the Commissioner discretion for a two-year period to seek civil penalties or appear in court in these circumstances. Senate Bill 298-A extends this authority for an additional four-year period.