

**HB 4134 A STAFF MEASURE SUMMARY**

**Carrier:** Sen. Frederick

**Senate Committee On Human Services**

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**Action Date:** 02/22/18

**Action:** Do pass the A-Eng bill.

**Vote:** 5-0-0-0

**Yeas:** 5 - Gelser, Knopp, Linthicum, Monnes Anderson, Wagner

**Fiscal:** Has minimal fiscal impact

**Revenue:** No revenue impact

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**WHAT THE MEASURE DOES:**

Provides legal procedure for petitioning the removal of discriminatory restrictions from the title of real property and prohibits courts from charging filing fees as well as awarding a prevailing party fee for such petitions. Applies to petitions for removal of certain discriminatory restrictions filed on or after the effective date. Prohibits a declaration for a planned community in restricting use of real property based on reason of race, color, religion, sex, sexual orientation, national origin, or disability. Declares emergency, effective upon passage.

**ISSUES DISCUSSED:**

- Provisions of the measure
- Systemic barriers to real property ownership by minority populations
- Usage and examples of racially restrictive covenants
- History of redlining and other discriminatory practices in Oregon

**EFFECT OF AMENDMENT:**

No amendment.

**BACKGROUND:**

The Fair Housing Act (Title VIII of the Civil Rights Act of 1968) prohibits discrimination in the sale, rental, and financing of dwellings based on race, color, religion, sex, or national origin. Similarly, state law (ORS 93.270) prohibits a title of real property from restricting the use of the real property by any person or group of persons by reason of race, color, religion, sex, sexual orientation, national origin, or disability. Any discriminatory language existing in a real property title is unenforceable due to the federal and state laws above. House Bill 4134-A provides a legal procedure for petitioning the removal of discriminatory restrictions from the title of real property.