

# House Bill 2514

Sponsored by Representative DOHERTY (Pre-session filed.)

## 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**.

Provides that person retains privacy and possessory interest in contents of residential garbage receptacle until collection for disposal by sanitation company. Prohibits law enforcement agency from searching or seizing contents without warrant or consent.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to privacy; and declaring an emergency.

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

4 **SECTION 1. Section 2 of this 2019 Act is added to and made a part of ORS 133.525 to**  
5 **133.703.**

6 **SECTION 2. (1)(a) A person retains a privacy and possessory interest in the contents of**  
7 **a garbage receptacle placed outside the person's residence for collection and disposal by a**  
8 **sanitation company.**

9 **(b) The privacy and possessory interest described in paragraph (a) of this subsection**  
10 **continues until the contents of the receptacle are collected for disposal by the sanitation**  
11 **company that regularly collects garbage for the residence.**

12 **(2) A law enforcement agency may not search or seize the contents of a garbage recep-**  
13 **tacle subject to the privacy and possessory interest described in subsection (1) of this section**  
14 **except:**

15 **(a) Pursuant to a search warrant issued under ORS 133.525 to 133.703; or**

16 **(b) As authorized by lawful consent.**

17 **SECTION 3. This 2019 Act being necessary for the immediate preservation of the public**  
18 **peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect**  
19 **on its passage.**  
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**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.