



STATE OF OREGON
Legislative Counsel Committee

December 11, 2021

To: Senator Peter Courtney, President of the Senate
From: Robert Mauger, Deputy Legislative Counsel
Subject: LC 9 (2021 second special session)—Confirmation of legislative concepts

You asked that I identify where in LC 9 certain legislative concepts can be found. Your questions and my responses are as follows:

“SB 278 safe harbor provisions are available for tenants who apply for rental assistance and initiate a safe harbor by June 30, 2022. The safe harbor lasts while an application is pending, but no later than September 30, 2022.”

Section 2 of Enrolled Senate Bill 278 (2021)¹ is the existing safe harbor law. Section 2 of LC 9 will amend section 2 (2)(a) of SB 278 to allow a tenant to initiate the safe harbor period until June 30, 2022. Section 2 (2)(c) is amended to extend the safe harbor period from 60 days until the application is no longer pending. Section 9 of LC 9 will amend section 8 of SB 278 to sunset the safe harbor provisions on October 1, 2022. This makes them last operative on September 30, 2022.

“No triggers or extensions by the Governor.”

There are no triggers that will extend the sunset in the bill and the Governor is given no authority under the bill.

“Rental assistance providers must send letters of application denial/closure to landlords.”

Section 5 of LC 9 amends section 7 of SB 278. New subsection (2)(d) of that section will require all rental assistance providers to notify landlords by letter and electronic mail.

“The agency will be directed to prioritize applications currently in the portal (submitted by December 1).”

Section 5 of LC 9 amends section 7 of SB 278. New subsection (1) of that section requires the Housing and Community Services Department to prioritize eligible tenants who have applied for rental assistance before December 1, 2021.

¹ Chapter 420, Oregon Laws 2021.

“OHCS will commit to pay out current federal money (ERA1 and ERA2) and new state money allocated during the special session by June 30th, 2022.”

This information is not within LC 9. It is possible that it may be included as a budget note that would appear with LC 6.