

HB 3124 A -A2, -A3, -A4, -A5 STAFF MEASURE SUMMARY

Senate Committee On Housing and Development

Prepared By: Devin Edwards, LPRO Analyst

Meeting Dates: 5/6, 5/27

WHAT THE MEASURE DOES:

Increases requirement for law enforcement to post written notice before removing homeless individuals at established camping sites from 24 hours to 72 hours advance notice. Allows local social services agencies, outreach workers, local agency officials, and individuals authorized to issue citations for unlawful camping to receive unclaimed personal property after removal of established camping site. Requires unclaimed personal property to be stored in orderly fashion and in facility located in same community as removed site. Defines what property may be discarded or given to law enforcement. Defines what address and contact information must be included in written notices. Allows local ordinance with greater protections for homeless individuals to preempt contrary provisions of measure. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Provisions of measure

EFFECT OF AMENDMENT:

-A2 Replaces drug paraphernalia with non-prescribed controlled substances with respect to items given to law enforcement after camping site removal. Allows property remaining unclaimed after 30 days to be donated to charitable organizations, effective December 31, 2020. Allows removal notice to be posted 24 hours in advance if funeral service is scheduled with less than 72 hours' notice in cemetery where camping site exists, or if camping site is established less than 72 hours prior to scheduled funeral service.

-A3 Allows removal notice to be posted 24 hours in advance if law enforcement or individual authorized to issue citation reasonably believes camping site represents threat to public safety and exists near playground, athletic area, park shelter, existing temporary shelter site, waterway, or private property.

-A4 Resolves conflicts with Senate Bill 410. Replaces drug paraphernalia with non-prescribed controlled substances with respect to items given to law enforcement after camping site removal. Allows property remaining unclaimed after 30 days to be donated to charitable organizations, effective December 31, 2020. Allows removal notice to be posted 24 hours in advance if funeral service is scheduled with less than 72 hours' notice in cemetery where camping site exists, or if camping site is established less than 72 hours prior to scheduled funeral service.

-A5 Resolves conflicts with Senate Bill 410. Replaces drug paraphernalia with non-prescribed controlled substances with respect to items given to law enforcement after camping site removal. Allows property remaining unclaimed after 30 days to be donated to charitable organizations, effective December 31, 2020. Allows removal notice to be posted 24 hours in advance if funeral service is scheduled with less than 72 hours' notice in cemetery where camping site exists, or if camping site is established less than 72 hours prior to scheduled funeral service. Requires unclaimed property in Multnomah County to be stored in a facility within six blocks of a public transit station.

BACKGROUND:

Oregon's rate of homeless individuals who are unsheltered is one of the highest in the United States. A 2019 Urban Institute report found that 24 percent (10,142 individuals) of homeless individuals in Oregon were unsheltered. According to Oregon Housing and Community Services, the number of unsheltered homeless

HB 3124 A -A2, -A3, -A4, -A5 STAFF MEASURE SUMMARY

individuals has increased by 37 percent since 2015, and the department's 2019 Statewide Shelter Study calculated a shortfall of 5,800 emergency shelter beds for individuals and families.

Oregon law provides a set of required elements that local governments must adopt as part of policies related to camping by homeless individuals. Through legal settlements or ordinances, some local governments have established specific guidelines governing the removal of homeless individuals from public property being used for the purpose of shelter or temporary residence and for the storage and/or disposal of property discovered within an established camping site.

House Bill 3124 A increases the requirement for law enforcement to post written notices before removing homeless individuals at established camping sites from 24 hours to 72 hours advance notice. Local social services agencies, outreach workers, local agency officials, and individuals authorized to issue citations for unlawful camping may receive unclaimed personal property after removal of an established camping site. Unclaimed personal property must be stored in an orderly fashion, keeping property grouped by individual ownership to the extent reasonably possible. Property with no apparent value or utility, or items that are unsanitary, may be immediately discarded; weapons, drug paraphernalia, items that appear to be stolen or criminal evidence must be given to law enforcement. Local city or county ordinances that offer more specific or greater protections for homeless individuals who may be subject to removal preempt any contrary provisions of the measure.