

HB 2534 A STAFF MEASURE SUMMARY
Senate Committee On Housing and Development

Carrier: Sen. Frederick

Action Date: 04/29/21
Action: Do pass the A-Eng bill.
Vote: 4-1-0-0
Yeas: 4 - Anderson, Golden, Jama, Patterson
Nays: 1 - Linthicum
Fiscal: Has minimal fiscal impact
Revenue: No revenue impact
Prepared By: Devin Edwards, LPRO Analyst
Meeting Dates: 4/27, 4/29

WHAT THE MEASURE DOES:

Requires homeowners associations to review and remove discriminatory language from governing documents by December 31, 2022. Takes effect on 91st day following adjournment *sine die*.

ISSUES DISCUSSED:

- Restrictions on use of community, lots, or units based on age
- Familial relationships between occupants
- Similar legislation in other states

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The federal Fair Housing Act prohibits housing discrimination based on a person's race, color, national origin, religion, sex, familial status, or physical or mental disability. It prohibits housing providers, including homeowner associations and condominium associations, from discriminating against any person in the provision of services and facilities associated with a rental or other dwelling. Oregon extends protection even further, to prohibit discrimination on the basis of sexual orientation, marital status, and source of income. Some homeowner and condominium associations' governing documents have been found to contain language that is offensive to the Fair Housing Act.

House Bill 2534 A requires homeowners associations for planned communities and condominiums with residential units, to review and remove discriminatory language from governing documents on or before December 31, 2022. Discriminatory language includes restrictions based on race, color, religion, sex, sexual orientation, national origin, marital status, familial status, source of income, disability, or number of individuals – including family members, people of close affinity, and unrelated people – who occupy a dwelling within occupancy limits. The measure also allows for discriminatory language to be removed without a vote of owners or board members if certain criteria are met.