

HOUSE AMENDMENTS TO HOUSE BILL 2409

By COMMITTEE ON HOUSING

March 29

1 On page 1 of the printed bill, delete lines 6 through 21 and insert:

2 **“SECTION 2. (1) As used in this section, ‘pesticide’ has the meaning given that term in**
3 **ORS 634.006.**

4 **“(2) A homeowners association must provide, upon an owner’s request, notice to the**
5 **owner of:**

6 **“(a) The dates and times that the association plans to apply a pesticide to the owner’s**
7 **property; and**

8 **“(b) The means by which the owner may exclude the owner’s property from the applica-**
9 **tion of the pesticide under subsection (3) of this section.**

10 **“(3) An association may not require an owner to apply a pesticide and shall allow any**
11 **owner to exclude the owner’s property from the landscaping activities of the association that**
12 **include application of a pesticide, except to the extent a pesticide or other pest management**
13 **practice is necessary to manage or prevent a pest issue that could harm ecological or public**
14 **health.**

15 **“(4) An owner’s exclusion from the application of a pesticide under subsection (3) of this**
16 **section is an assumption of the landscaping responsibility by the owner, and the association**
17 **may enforce against the responsible owner reasonable standards for landscaping that allow**
18 **for consistent appearances within the community.**

19 **“(5) A provision in a governing document inconsistent with this section is against the**
20 **policy of this state to support public health, safety and welfare and is void and**
21 **unenforceable.”.**

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