

HOUSE AMENDMENTS TO HOUSE BILL 2488

By COMMITTEE ON ENERGY AND ENVIRONMENT

April 15

1 On page 1 of the printed bill, delete lines 4 through 24 and delete pages 2 through 5 and insert:
2 “**SECTION 1. Sections 2 to 4 of this 2021 Act are added to and made a part of ORS**
3 **chapter 197.**

4 “**SECTION 2. Citizen involvement planning goal. (1) As used in this section:**

5 “(a) ‘Climate justice’ means the involvement and participation in land use planning and
6 decision-making by disadvantaged groups to consider and address impacts that are caused
7 or exacerbated by the current or future effects of climate change.

8 “(b) ‘Disadvantaged group’ means a group that may experience past or current discrimi-
9 nation, patterns of exclusion or an unfair distribution of resources, access and opportunity,
10 including people of color, individuals with low income or very low income as defined in ORS
11 458.610 and persons with disabilities.

12 “(c) ‘Environmental justice’ means equal protections, the fair treatment and meaningful
13 involvement and participation of all people regardless of race, color, national origin or in-
14 come with respect to the development, implementation and enforcement of land use laws,
15 regulations, policies and decisions that affect the environment in which people live, work,
16 learn and practice spirituality and culture.

17 “(d) ‘Equity’ means the effort to provide different levels of support, including the fair
18 distribution of resources, power and opportunity, to achieve fairness in outcomes for a dis-
19 advantaged group.

20 “(e) ‘People of color’ means individuals or groups who identify as:

21 “(A) Black or African American;

22 “(B) Hispanic or Latino;

23 “(C) Asian or Asian American;

24 “(D) Native Hawaiian or Pacific Islander;

25 “(E) American Indian or Alaska Native having origins in one of the original peoples of
26 North America;

27 “(F) Arabic or North African;

28 “(G) Middle Eastern;

29 “(H) Mixed race or mixed ethnicity; or

30 “(I) Another identity, ethnicity, or race as identified by the Land Conservation and De-
31 velopment Commission, considering existing and historical disparities and exclusions.

32 “(2) The Land Conservation and Development Commission shall include within the goals
33 and guidelines described in ORS 197.225 a statewide land use planning goal that directs gov-
34 ernments to take actions consistent with the following:

35 “(a) Ensuring that the opportunity to participate in land use planning and decision-

1 making is accessible to disadvantaged groups;

2 “(b) Incorporating practices to engage the community, including disadvantaged groups,
3 on climate justice, environmental justice and equity in land use planning and decision-
4 making; and

5 “(c) Utilizing current technologies and mediums to:

6 “(A) Improve and expand communication between the local government and general
7 public, including disadvantaged groups; and

8 “(B) Enhance the access to and accessibility of information used in land use planning and
9 decision-making to the general public including disadvantaged groups.

10 “**SECTION 3. Process for amending goal.** The Land Conservation and Development Com-
11 mission shall amend the statewide land use planning goal relating to citizen involvement
12 consistent with section 2 of this 2021 Act and the following:

13 “(1) The commission shall adopt the amendment under ORS 183.325 to 183.410,
14 notwithstanding ORS 197.230, 197.235, 197.240 or 197.245.

15 “(2) The Department of Land Conservation and Development shall appoint an advisory
16 committee under ORS 183.333 consisting of a broad, diverse group of stakeholders, including
17 representatives of tribal communities and disadvantaged groups, as defined in section 2 of
18 this 2021 Act.

19 “(3) The department shall hold at least one public hearing in each of the congressional
20 districts in this state.

21 “(4) At least 60 days prior to adopting the amended goal, the commission shall present
22 draft goal language to an appropriate committee or interim committee of the Legislative
23 Assembly.

24 “(5) The commission must hold at least one public hearing regarding the draft goal lan-
25 guage before, and separate from, the meeting at which the commission adopts the amended
26 goal.

27 “(6) The commission shall adopt the final amended goal on or before June 30, 2023.
28 Notwithstanding ORS 197.245, the goal is effective 30 days after adoption.

29 “(7) The commission shall rename the statewide land use planning goal relating to citizen
30 involvement to reflect, to the greatest extent possible, the broadest and most inclusive public
31 engagement and participation in land use planning and decision-making process by all mem-
32 bers of the community, including disadvantaged groups.

33 “(8) The commission or department may request the assistance of any state agency,
34 public or private organization, including federal agencies, other states and universities, in
35 the amendment and adoption of the goal.

36 “**SECTION 4. Implementation.** (1) Notwithstanding ORS 197.250, a local government is not
37 required to request acknowledgment of compliance under ORS 197.251 (1) for the local
38 government’s comprehensive plan or regional framework plan with the amendment to the
39 statewide land use planning goal adopted under section 3 of this 2021 Act:

40 “(a) Until June 30, 2024, for cities with a population of 10,000 or more, for counties with
41 a population of 30,000 or more, and for Metro.

42 “(b) Until June 30, 2025, for cities with a population of 4,000 or more and less than 10,000
43 and for counties with a population of 20,000 or more and less than 30,000.

44 “(c) Until June 30, 2026, for cities with a population of less than 4,000 or for counties with
45 a population of less than 20,000.

1 “(2) Upon the request of any local government, the Land Conservation and Development
2 Commission shall grant an extension to the compliance schedule in subsection (1) of this
3 section:

4 “(a) A single 12-month extension for any local government; and

5 “(b) An ongoing extension if the local government has been unable to receive funding to
6 adopt and implement the amended goal.

7 “(3) On a schedule published by the commission consistent with this section, each local
8 government shall report to the Department of Land Conservation and Development on the
9 local government’s compliance with the amended goal adopted under section 3 of this 2021
10 Act.

11 “SECTION 5. Sunset. (1) Sections 3 and 4 of this 2021 Act are repealed on January 2, 2028.

12 “(2) The repeal of sections 3 and 4 of this 2021 Act by this section does not affect an
13 amendment to a statewide land use planning goal adopted under section 3 of this 2021 Act.

14 “SECTION 6. Appropriation. In addition to and not in lieu of any other appropriation,
15 there is appropriated to the Land Conservation and Development Commission, for the
16 biennium beginning July 1, 2021, out of the General Fund, the amount of \$800,000 to adopt
17 an amendment to the statewide land use planning goal and to facilitate the adoption of the
18 goal by local governments consistent with sections 2 to 4 of this 2021 Act.

19 “SECTION 7. Section captions. The section captions used in this 2021 Act are provided
20 only for the convenience of the reader and do not become part of the statutory law of this
21 state or express any legislative intent in the enactment of this 2021 Act.

22 “SECTION 8. Emergency clause. This 2021 Act being necessary for the immediate pres-
23 ervation of the public peace, health and safety, an emergency is declared to exist, and this
24 2021 Act takes effect on its passage.”.