

SB 19-3
(LC 795)
3/10/21 (RLM/ps)

Requested by Representative RESCHKE

**PROPOSED AMENDMENTS TO
SENATE BILL 19**

1 Delete lines 5 through 26 of the printed bill and insert:

2 **“SECTION 2. (1) If a Department of Corrections institution is closed**
3 **in a county with a population of less than 50,000, the state shall**
4 **promptly offer to transfer to the county in which the institution is**
5 **sited, without consideration, all of the state’s interest in the title to**
6 **the institution and all fixtures of the institution. If the county does**
7 **not accept the offer within 30 days, the department may withdraw the**
8 **offer.**

9 **“(2) The department may not remove any fixtures from an institu-**
10 **tion being transferred under this section after it is closed or has been**
11 **planned for closure, except:**

12 **“(a) To the extent that removal is necessary to prevent the disclo-**
13 **sure of information that is exempt from disclosure under ORS 192.311**
14 **to 192.478;**

15 **“(b) If the failure to remove a fixture would substantially prejudice**
16 **or prevent the carrying out of the functions of the department; or**

17 **“(c) If the offer of transfer under subsection (1) of this section has**
18 **been withdrawn.**

19 **“(3) A transfer of an institution under this section does not transfer**
20 **any unpaid bonds or other debts or obligations of the state related to**
21 **financing the institution. An offer to transfer the institution under**

1 **this section must include an offer and plan by the state or the de-**
2 **partment to satisfy and release any liens against the institution prop-**
3 **erty.**

4 **“(4) Notwithstanding ORS 215.431, the governing body of a county**
5 **that receives title to an institution under this section, with respect to**
6 **the land on which the institution is sited, may amend its comprehen-**
7 **sive plan or enact or amend any land use regulation without respect**
8 **to statewide planning goals to allow the use of the land for any other**
9 **purpose, provided that:**

10 **“(a) The enactment or amendment is passed by an ordinance of the**
11 **governing body of the county after a public hearing;**

12 **“(b) The county has not converted the institution to a regional**
13 **correctional facility;**

14 **“(c) The ordinance is passed within one year of the transfer; and**

15 **“(d) A copy of the ordinance is delivered to the Land Conservation**
16 **and Development Commission within 14 days of passage.**

17 **“(5) Notwithstanding ORS 197.610 to 197.625, upon receipt of a copy**
18 **of an ordinance passed under subsection (4) of this section, the com-**
19 **mission shall consider the ordinance to be acknowledged, as that term**
20 **is used in ORS chapter 197.”.**

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