

HB 2488-7  
(LC 1900)  
4/8/21 (RLM/ps)

Requested by HOUSE COMMITTEE ON ENERGY AND ENVIRONMENT (at the request of Representative Pam Marsh)

**PROPOSED AMENDMENTS TO  
HOUSE BILL 2488**

1 On page 1 of the printed bill, delete lines 4 through 24 and delete pages  
2 2 through 5 and insert:

3 **“SECTION 1. Sections 2 to 4 of this 2021 Act are added to and made  
4 a part of ORS chapter 197.**

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

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

11 **“(b) ‘Disadvantaged group’ means a group that may experience past  
12 or current discrimination, patterns of exclusion or an unfair distrib-  
13 ution of resources, access and opportunity, including people of color,  
14 individuals with low income or very low income as defined in ORS  
15 458.610 and persons with disabilities.**

16 **“(c) ‘Environmental justice’ means equal protections, the fair  
17 treatment and meaningful involvement and participation of all people  
18 regardless of race, color, national origin or income with respect to the  
19 development, implementation and enforcement of land use laws, reg-  
20 ulations, policies and decisions that affect the environment in which  
21 people live, work, learn and practice spirituality and culture.**

1       “(d) ‘Equity’ means the effort to provide different levels of support,  
2 including the fair distribution of resources, power and opportunity, to  
3 achieve fairness in outcomes for a disadvantaged group.

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

5       “(A) Black or African American;

6       “(B) Hispanic or Latino;

7       “(C) Asian or Asian American;

8       “(D) Native Hawaiian or Pacific Islander;

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

11       “(F) Arabic or North African;

12       “(G) Middle Eastern;

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

14       “(I) Another identity, ethnicity, or race as identified by the Land  
15 Conservation and Development Commission, considering existing and  
16 historical disparities and exclusions.

17       “(2) The Land Conservation and Development Commission shall in-  
18 clude within the goals and guidelines described in ORS 197.225 a  
19 statewide land use planning goal that directs governments to take  
20 actions consistent with the following:

21       “(a) Ensuring that the opportunity to participate in land use plan-  
22 ning and decision-making is accessible to disadvantaged groups;

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

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

27       “(A) Improve and expand communication between the local gov-  
28 ernment and general public, including disadvantaged groups; and

29       “(B) Enhance the access to and accessibility of information used in  
30 land use planning and decision-making to the general public including

1 **disadvantaged groups.**

2 **“SECTION 3. Process for amending goal. The Land Conservation**  
3 **and Development Commission shall amend the statewide land use**  
4 **planning goal relating to citizen involvement consistent with section**  
5 **2 of this 2021 Act and the following:**

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

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

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

15 **“(4) At least 60 days prior to adopting the amended goal, the com-**  
16 **mission shall present draft goal language to an appropriate committee**  
17 **or interim committee of the Legislative Assembly.**

18 **“(5) The commission must hold at least one public hearing regard-**  
19 **ing the draft goal language before, and separate from, the meeting at**  
20 **which the commission adopts the amended goal.**

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

24 **“(7) The commission shall rename the statewide land use planning**  
25 **goal relating to citizen involvement to reflect, to the greatest extent**  
26 **possible, the broadest and most inclusive public engagement and par-**  
27 **ticipation in land use planning and decision-making process by all**  
28 **members of the community, including disadvantaged groups.**

29 **“(8) The commission or department may request the assistance of**  
30 **any state agency, public or private organization, including federal**

1 agencies, other states and universities, in the amendment and  
2 adoption of the goal.

3 **“SECTION 4. Implementation.** (1) Notwithstanding ORS 197.250, a  
4 local government is not required to request acknowledgment of com-  
5 pliance under ORS 197.251 (1) for the local government’s compre-  
6 hensive plan or regional framework plan with the amendment to the  
7 statewide land use planning goal adopted under section 3 of this 2021  
8 Act:

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

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

14 **“(c) Until June 30, 2026, for cities with a population of less than  
15 4,000 or for counties with a population of less than 20,000.**

16 **“(2) Upon the request of any local government, the Land Conser-  
17 vation and Development Commission shall grant an extension to the  
18 compliance schedule in subsection (1) of this section:**

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

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

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

26 **“SECTION 5. Sunset.** (1) Sections 3 and 4 of this 2021 Act are re-  
27 pealed on January 2, 2028.

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

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

8       **SECTION 7. Section captions.** The section captions used in this  
9 2021 Act are provided only for the convenience of the reader and do  
10 not become part of the statutory law of this state or express any leg-  
11 islative intent in the enactment of this 2021 Act.

12       **SECTION 8. Emergency clause.** This 2021 Act being necessary for  
13 the immediate preservation of the public peace, health and safety, an  
14 emergency is declared to exist, and this 2021 Act takes effect on its  
15 passage.”.

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