

**HB 2238 A STAFF MEASURE SUMMARY**

**Carrier:** Rep. McLain

**House Committee On Agriculture, Land Use, Natural Resources, and Water**

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**Action Date:** 04/03/23

**Action:** Do pass with amendments. (Printed A-Eng.)

**Vote:** 8-1-0-0

**Yeas:** 8 - Boice, Gamba, Hartman, Helm, Marsh, McLain, Owens, Scharf

**Nays:** 1 - Levy B

**Fiscal:** Fiscal impact issued

**Revenue:** Revenue impact issued

**Prepared By:** Anna Glueder, LPRO Analyst

**Meeting Dates:** 3/23, 4/3

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**WHAT THE MEASURE DOES:**

Authorizes the Department of State Lands (DSL) to adopt rules associated with personal property left on state lands without authorization as determined by DSL or by law. Specifies notice requirements prior to removal. Specifies storage requirements and permitted disposal methods of removed personal property and requires that any personal identification, including Social Security or other identification card, must be destroyed at the end of the 30-day storage period. Exempts DSL from liability for conversion of removed, stored, returned, donated, or disposed of personal property and authorizes DSL to collect costs associated with these processes. Authorizes DSL to immediately, and without providing notice, remove and dispose of property that: is not personal property; creates an exceptional emergency; or if the property presents an immediate danger to human life or safety. Operative January 1, 2024. Allows DSL to take action before operative date to ensure department's ability to exercise removal of personal property as described in the measure on and after rulemaking. Takes effect on 91st day following adjournment sine die.

**ISSUES DISCUSSED:**

- History of fill and removal permitting rules
- Interference of measure with Oregon's removal-fill permit program
- Current storage requirements for removed personal property

**EFFECT OF AMENDMENT:**

Replaces the measure.

**BACKGROUND:**

With few exceptions, recreational uses, limited to a period of up to 30 days, are allowed on all state-owned land. Currently, personal property left on state lands without authorization, that is removed by the Department of State Lands (DSL), must be held in safekeeping for a period of up to three years.

House Bill 2238 A would authorize DSL to adopt rules associated with personal property left on state lands without authorization as determined by DSL or by law.