

# House Bill 3591

Sponsored by Representative GOODWIN, Senator ANDERSON; Senator SMITH DB (at the request of Ellen Porter)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Authorizes cities and counties within Rural Oregon Continuum of Care to establish campgrounds for homeless individuals that are protected against civil liability provided campgrounds have certain characteristics and provide certain services.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

Relating to campgrounds for homeless individuals; and declaring an emergency.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1.** **(1) This section applies to:**

**(a) Any city or county that is located within an area served by the Rural Oregon Continuum of Care or its successor organization and that establishes a liability-protected campground for homeless individuals that has the characteristics and provides the services listed in subsection (2) of this section;**

**(b) The respective city or county officers, whether elected or appointed, and the city or county employees and other agents; and**

**(c) A third-party entity that has entered into an agreement with the city or county to maintain and operate a liability-protected campground on behalf of the city or county.**

**(2) A liability-protected campground is a campground that:**

**(a) Is not situated in an area that would pose an obvious danger to campers, including, but not limited to, areas near highways, overpasses, underpasses, ramps, waterways that are prone to flooding and known polluted or contaminated areas;**

**(b) Is easily accessible to law enforcement and fire service vehicles;**

**(c) Is designed to cordon off a separate allotment for each campsite, which must be at least 10 feet by 10 feet in area;**

**(d) Is graded or otherwise allows for adequate stormwater drainage;**

**(e) Provides campers with access to sanitary facilities, including toilets, and hand washing stations and trash disposal facilities; and**

**(f) Has signage that is easily visible and printed in English and Spanish and that sets forth, at a minimum, the following:**

**(A) That individuals occupying the liability-protected campground do so at their own risk;**

**(B) If there is no on-site staff, that the liability-protected campground does not have an on-site manager;**

**(C) A contact phone number for emergency personnel;**

**(D) The location of the toilets and trash disposal facilities; and**

**(E) The day of the week on which trash is picked up and transported offsite.**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1       (3) Notwithstanding ORS 30.265, a camper or other individual may not bring a civil claim  
2 against a person listed in subsection (1) of this section for any harm, including, but not  
3 limited to, property damage, personal injury or death, that arises out of:

- 4           (a) The camper or other individual's use of a liability-protected campground established,  
5 maintained or operated by the person;  
6           (b) The removal or expulsion of the camper or other individual from a liability-protected  
7 campground based on disorderly or aggressive behavior or violation of a criminal law; or  
8           (c) The implementation and enforcement of reasonable campground rules at a liability-  
9 protected campground intended to minimize conflicts among campers and other individuals.

10       **SECTION 2.** This 2023 Act being necessary for the immediate preservation of the public  
11 peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect  
12 on its passage.

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