

SB 599 A STAFF MEASURE SUMMARY

House Committee On Judiciary

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Meeting Dates: 4/23, 4/30

WHAT THE MEASURE DOES:

This measure prohibits rental housing discrimination based on immigration or citizenship status.

Detailed Summary:

- Prohibits a landlord from inquiring into the citizenship status of an applicant, tenant, or household member except as necessary to comply with federal laws subsidizing housing.
- Directs a landlord to accept any combination of the following from a tenant or applicant as necessary to verify name, birthdate, and physical appearance:
 - a social security card;
 - a certified birth certificate;
 - a permanent resident card;
 - a visa;
 - an Individual Taxpayer Identification Number card;
 - a passport, driver's license or other government-issued identification; or
 - any combination of identifications that would permit reasonable identity verification.
- Prohibits a landlord from rejecting a housing application for an applicant's failure to provide a social security number or prove lawful presence in the United States.
- Prohibits a landlord from disclosing or threatening to disclose immigration or citizenship status with the intent or purpose to harass, intimidate, or retaliate.
- Renders a landlord's violation subject to the landlord tenant act, ORS 90.390.
- Allows the victim of housing discrimination to seek equitable and injunctive relief along with their costs and attorney fees under ORS 659A.885.
- Declares an emergency, effective on passage.
- Becomes operative 30 days after effective date.

SENATE VOTE: Ayes, 21; Nays, 8

FISCAL: Has a minimal fiscal impact

REVENUE: No revenue impact

ISSUES DISCUSSED:

- Housing discrimination
- Existing protections for national origin and race discrimination
- Consensus amendments integrated into measure
- Fear of retaliation for tenants' requesting maintenance
- Housing regulations' potential effect on available housing
- Measure's remedies for violations

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The Oregon Fair Housing Act prohibits housing discrimination based upon "the race, color, religion, sex, sexual orientation, gender identity, national origin, marital status, familial status or source of income of any person."

This summary has not been adopted or officially endorsed by action of the committee.

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ORS 659A.421. The federal Fair Housing Act similarly prohibits discrimination because of race, color, religion, sex, familial status, or national origin. 42 U.S. Code § 3604.

The City of Portland has adopted an ordinance akin to certain provisions of the measure. The Portland ordinance prohibits a landlord from inquiring into a housing applicant's immigration status and requires that landlords only rely on specified documents to verify an applicant's identity. [Portland City Code, 30.01.086 \(D\)\(1\)](#).

PRELIMINARY