

## Memorandum

Date: June 30, 2021  
To: Mayor, City Council, and City Manager  
From: Ethan Nelson, IGR Manager

### Subject: 2021 State Priority 1 Bills End of Session Preliminary Report

Mayor Vinis, City Councilors, and City Manager Medary, below is a listing and result of the Priority 1 bills for the City of Eugene during the 2021 Legislative Session.

#### Local Financial Sustainability

- [HB 2015](#) and [SB864](#): Local Marijuana Tax Increase. **Support base bill, Oppose the -1 amendment.** *Result: did not move from Committee.*
  - These bills would provide local government the ability to increase local retail taxes on marijuana sales. The House did not move HB2015 and after work by LOC to move the Senate bill (SB 864), it was held up on House Revenue at the end of the session. There is likely to be an interim workgroup that will take a comprehensive look at marijuana related taxes.
- [HB 3040](#): System Development Charges. **Oppose.** *Result: Passed, waiting for Gov signature.*
  - Amended to a study bill and ‘transparency’ mandates for local governments to post certain materials on their websites, starting January 2022.

#### Housing/Land Use/Homelessness

- [HB 2006](#): Shelter Siting and [HB 2004](#): Shelter Funding Bill. **Support.** *Result: HB 2006 signed into Law on 5/12 and HB 2004 incorporated into HB5042 which signed into law on April 15. Passed*
  - HB2006-emergency shelter siting provisions, including removing land use restrictions. City staff working on implementation. HB2004-Provided \$5M to Lane County for a low barrier shelter located in Eugene. Lane County and City of Eugene negotiating the use of these funds.
- [HB 2100](#): Modernizing Oregon’s Housing Stabilization Funding. **Support.** *Result: Passed*
  - Bill was amended to create a Housing Stability Council with local gov representation and role in funding recommendations to OHCS. Also created a task force to come back with recommendations on modernizing distribution of Emergency Housing Account funds and administration of federal anti-poverty programs by Jan 15, 2022 for implementation by July 1, 2022.
- [HB 2283](#) /[SB 458](#): Middle Housing Land Division. **Neutral with Amendments.** *Result: SB458 signed into law on 5/26*
  - Allows land division to separate dwelling units for new middle housing allowed in cities. City staff working on implementation. Effective date is January 1, 2022, applying to projects permitted after July 1, 2022.

- [HB 2367](#): Right to Rest. **Neutral.** *Result: did not move from Committee.*
  - Establishes Oregon Right to Rest Act
- [HB 2558](#): Housing Density Near Transit. **Oppose.** *Result: did not move from Committee.*
  - Requires local governments to allow certain residential development within one-eighth mile of fixed guideway corridor stops
- [HB 2583](#): Occupancy Limits. **Neutral.** *Result: Governor Signed into Law on 5/25*
  - Prohibits establishment or enforcement of occupancy limits based on familial relationships on residential dwelling units by public bodies. Effective January 1, 2022
- [HB 3115](#): Boise v Martin bill. **Neutral.** *Result: Governor Signed into Law on 6/23*
  - Provides that local law regulating sitting, lying, sleeping or keeping warm and dry outdoors on public property that is open to public must be objectively reasonable as to time, place and manner with regards to persons experiencing homelessness. Effective upon passage with operative date for compliance of 7/1/23.
- [HB 3124](#): Camping Notices. **Neutral w/Amendment.** *Result: Governor Signed into Law 6/23*
  - Increases time that written notice must be posted before removal of homeless individuals from established camping site. Effective upon passage.
- [SB 8](#): Affordable Housing Siting Bill. **Neutral w/Amendments.** *Result: Governor Signed into Law on 6/23*
  - Requires local governments to allow development of certain affordable housing on lands not zoned for residential uses. Effective upon passage.

## Public Safety

- [HB 2426](#): Urban Search and Rescue funding. **Support** *Result: Passed, waiting for Gov signature- funding in HB5006.*
  - Directs Oregon Homeland Security Council to develop updated list of equipment for purposes of emergency preparedness equipment grant program. Effective on Sine Die (6/26) and operative by January 1, 2022. Makes up to \$10M for the State Preparedness and Incident Response Equipment (SPIRE) Grant Program for USAR activities-Eugene Springfield Fire will prepare application.
- [SB 295](#): Aid and Assist. **Support** *Result: Governor Signed into Law on 6/23*
  - Defines terms related to fitness to proceed. Reorganizes and restructures statutes related to fitness to proceed. Requires court to find that defendant requires hospital level of care due to public safety concerns or acuity of symptoms of defendant's mental disorder, and that appropriate community restoration services are not provided. Modifies procedures and criteria for committing defendant charged with misdemeanor to state mental hospital or other facility in order to gain or regain fitness to proceed.
- [SB 554](#): Firearm Possession Restrictions. **Support.** *Result: Governor Signed into Law on 6/1*
  - Requires person to secure firearm with trigger or cable lock, in locked container or in gun room except in specified circumstances. Includes provisions regulating transfers, access to public buildings, and supervision of minors with firearms. Removed the ability for local government to restrict access to public buildings with firearm as part of compromise. Effect 91<sup>st</sup> day after Sine Die (6/26/21).
- [SB 398](#): Noose Crime Law. **Support.** *Result: Governor Signed into Law on 6/11*
  - Creates crime of intimidation by display of a noose. Punishes by maximum of 364 days' imprisonment, \$6,250 fine, or both. Effective upon passage.
- [HB 2002](#): Expansive Criminal Justice sentencing and policing bill. IGR Committee supported an **Oppose** position on 5/7 meeting. *Result: did not move from Committee.*

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- The restorative justice grant fund part of 2002 was moved into HB 2204 and completely replaced the contents of the bill. The elimination of Supervision fees was passed in SB 620 and the Department of Corrections will be funded moving forward to replace the fee revenue.
- [HB 2162](#): Police Training Study. **Support.** *Result: Passed on 6/26, awaiting signatures.*
  - Directs Department of Public Safety Standards and Training to designate one or more accrediting bodies for law enforcement agencies with 35 or more sworn police officers. Effective date for Eugene sized force is 7/1/25.
- [HB 2513](#): Police Training. **Support** *Result: Governor Signed into Law on 6/15*
  - Requires police officers to be trained in airway and circulatory anatomy and physiology and certified in cardiopulmonary resuscitation. Effective upon passage.
- [HB 2928](#): Use of Chemicals. **Support.** *Result: Passed on 6/26, awaiting signatures.*
  - Regulates use of chemical incapacitants, kinetic impact projectiles and sound devices by law enforcement agencies. Effective upon passage.
- [HB 2929](#): Duty to Report. **Support.** *Result: Governor Signed into Law on 6/11*
  - Modifies police officer's duty to report misconduct. Requires police officers to report violation of certain minimum standards. Requires law enforcement unit to investigate reports of misconduct and violation of standards. Effective upon passage.
- [HB 2930](#): Arbitrators Decision Making. **Support.** *Result: Passed on 6/26, awaiting signatures.*
  - For purposes of arbitration proceedings concerning alleged misconduct by law enforcement officers, specifies burden of proof necessary for law enforcement agency, or civilian or community oversight board, agency or review body, to show law enforcement officer engaged in misconduct and that any disciplinary action taken against officer was with just cause. Effective date is July 1, 2021, with operative dates on or before Nov 1, 2022 and apply to collective bargaining entering in or renewed after July 1, 2022.
- [HB 2932](#): Database of Physical Force. **Support.** *Result: Passed on 6/26, awaiting signatures*
  - Directs law enforcement unit to participate in National Use-of-Force Data Collection operated by Federal Bureau of Investigation. Effective upon passage.
- [HB 2936](#): Pre-Certification. **Support** *Result: Governor Signed into Law on 6/15*
  - Requires Department of Public Safety Standards and Training to create uniform background checklist and standardized personal history questionnaire for use by law enforcement units in hiring public safety officers. Directs law enforcement units to adopt policies that set standards for speech and expression by police officers and reserve officers. Requires employers to provide employment information to law enforcement units for purpose of hiring public safety officers. Exempts law enforcement units from prohibition on employer access to personal social media accounts. Effective upon passage and operative on July 1, 2023.
- [HB 3059](#): Modifies Unruly Gathering. **Support** *Result: Governor Signed into Law on 6/11*
  - Modifies statute authorizing law enforcement officers to command dispersal of unlawful assemblies and arrest participants who do not disperse. Removes requirement to go among persons unlawfully assembled and arrest persons. Authorizes arrest for unlawful activity constituting offense. Effective upon passage.
- [HB 3355](#): Law Enforcement Identification. **Support** *Result: Governor Signed into Law on 6/15*
  - Specifies identification required on uniforms of law enforcement officers working in crowd management in city with population over 60,000. Effective upon passage.

## General Government

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- [HB 2478](#): Relating to lawyer-client privileged public records. **Support.** *Result: did not move from Committee.*
  - Maintains indefinitely exemption from required disclosure of public records that are subject to lawyer-client privilege and public records exemption for privileged information.

### Transportation

- [HB 2530](#): Photo radar for high speed corridors. **Support.** *Result: Governor Signed into Law on 6/23*
  - Repeals sunset on authorization to operate fixed photo radar on urban high crash corridors in City of Portland. This was amended to only remove the sunset and not expand it to other communities.
- [HB 3055](#): Transportation Omnibus with local control for speed setting. **Support.** *Result: Passed on 6/26, awaiting signatures*
  - Specifically, based on the City's Vision Zero, Oregon Department of Transportation, pursuant to a process established by rule, may delegate its authority under this subsection to a city with jurisdiction over the highway. Effective date is 91 days after Sine Die (6/26/21).

### Climate Recovery/Environment

- [HB 2180](#): EV parking requirement for new construction. **Support.** *Result: Governor Signed into Law on 6/3*
  - Requires Director of Department of Consumer and Business Services to amend state building code to require that new construction of certain buildings include provisions for electrical service capacity for specified percentage of parking spaces Effective date January 1, 2022.
- [HB 2398](#): Reach Code. **Support.** *Result: did not move from Committee.*
  - Adds Reach Code to state building code as specialty code and permits municipality to adopt Reach Code and require adherence to code as minimum construction standard and method within municipality's jurisdiction
- [HB 2488](#): Climate Justice Land Use. **Support with amendments** *Result: did not move from Committee.*
  - Requires that statewide land use planning goal relating to citizen involvement address participation and engagement for disadvantaged groups. Requires Land Conservation and Development Commission to amend goal by June 30, 2023, consistent with requirement. Establishes timelines for local governments to implement amended goal.
- [SB 570](#): Product Stewardship. **Support.** *Result: did not move from Committee.*
  - Establishes product stewardship program for mattresses.
- [SB 582](#): Updating State Recycling System. **Support.** *Result: Passed, awaiting Gov signature.*
  - Establishes producer responsibility program for packaging, printing and writing paper and food serviceware. Requires producers of covered products to join producer responsibility organization that implements producer responsibility program plan approved by Department of Environmental Quality. Directs department to establish uniform statewide collection list for recyclable materials. Establishes Oregon Recycling System Advisory Council. Establishes Truth in Labeling Task Force. Repeals labeling requirements for rigid plastic bottles and containers. Requires commingled recycling processing facility to obtain disposal site permit. Prohibits delivery of certain recyclable

materials to recycling processing facility other than permitted or certified facility. Effective and operative dates are phased in over the next 3-5 years.

- [SB 784](#): Energy utility regulation. **Watch.** *Result: did not move from Committee.*
  - Authorizes public utility to seek rate recovery for operating expenses and capital costs associated with resiliency measures from retail electricity consumers or natural gas consumers. HB 2021 ended up being the carbon reduction bill for the session, focusing on investor owned utility requirements, but also creates grant program within State Department of Energy to provide grants to Indian tribes, public bodies and consumer-owned utilities to plan or develop community renewable energy projects.

### **Direct Budget Allocations**

- \$5,000,000 for Riverfront Park and Plaza construction.
- \$2,000,000 for Eugene Springfield Fire for firefighter apprentices.
- Member ARPA Funding Allocation (total: \$4,000,000)
  - \$3,250,000 for Eugene shelter land acquisition and development. (full delegation)
  - \$250,000 for temporary camping site development. (Rep Nathanson)
  - \$150,000 for Eugene Community Broadband Plan development. (Rep Nathanson)
  - \$350,000 for purchase of EPD Crisis Negotiation Vehicle. (Rep Manning)
- Total Direct: \$11,000,000

### **Eugene Area Direct Budget Allocations**

- \$1.8M to McKenzie Valley Wellness for Health Clinic Replacement.
- \$1.4M to Blue River Library for Rebuild Project.
- \$900k to McKenzie River Fire and Rescue for Disaster Relief Logistics Center.
- \$2.1M to Upper McKenzie Rural Fire Protection District for facility and equipment replacement.
- \$15M to Eugene Family YMCA for new facility.
- \$15.5M to Lane County McKenzie River Valley drinking water and wastewater replacement
- \$1.6M to Shedd Institute
- \$10M to Oregon21, LLC for direct costs to the 2022 World Championships.
- \$2M to Square One Villages for a shared equity affordable home ownership pilot project.
- \$3M to non-profit in Springfield to develop or improve a manufactured dwelling park.
- \$4M to OWEB pass through to EWEB for restoration and targeted acquisition of high priority McKenzie riparian and floodplain properties.
- \$1.05M to Oregon State Police for construction funding including Springfield Patrol Area Command and Springfield Forensic Lab and Medical Examiner office.
- Member ARPA Funding Allocation
  - \$2.1M to Food for Lane County to complete expansion of food warehouse.
  - \$500k to St. Vincent De Paul for a 10-unit Veteran Housing project.
  - \$500k to Square One Village to acquire land at 3060 River Road to develop 70 units of affordable housing.
  - \$1M to Centro Latino Americano for Latinx and Immigrant Family Wellness Hub.
  - \$325k to EWEB for McKenzie River Finn Rock Restoration Project.
  - \$500k to LCC for Career and Technical Education.
  - \$620 to City of Springfield for Affordable Housing.
  - \$445K to City of Springfield for Manufactured Home Park Preservation.
  - \$750k to City of Springfield for Broadband Micro-Carrier Hotel Fiber Expansion.
  - \$310k to Looking Glass for a Homeless Youth Facility.

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- \$600k to DevNW for Nelson Place Townhouse project.
- \$400k to Lane County for new mobile crisis response in the regions inside the UGB of Eugene and Springfield.
- \$500k to Lane County for Glenwood facility is to provide homeless shelter for individuals with health vulnerabilities not typically supported in a shelter setting.
- \$522k to Lane County for a new Homeownership Seed Fund.
- \$2.25M to Lane County for Emergency Shelter
- \$278k to Lane County Health and Human Services for local nonprofit support.
- \$225k to Lane County for Public Health Equity and Resilience Grants Program.

### **Oregon State Budget Allocations**

This was a historic session related to investment levels into state departments. There will be a number of grant programs related to housing, shelter, economic development, criminal justice reform, water infrastructure, broadband expansion, and cultural events/institutions which City staff will review and pursue as appropriate.