

## Oregon 2023 End of Legislative Session Report

The CAI Oregon Legislative Action Committee (LAC) actively advocated on behalf of the [approximately 565,000 Oregonians living in 228,000 homes in more than 3,980 community associations across the Beaver State](#) during the 2023 state legislative session. The CAI Oregon LAC actively tracked a total of 87 bills this year, out of over 1100 bills introduced in the Senate, and around 1700 bills introduced in the House. Below is a brief overview of the highlights from the 2023 Oregon Legislative Assembly:

**HB 3395 Relating to housing; and declaring an emergency:** This bill opens up commercial zones for approved affordable residential development within urban growth boundaries. Affordable housing developments created after January 1, 2024 would be exempt from certain elements of the Oregon Planned Community Act, provided they are either income-restricted or owned by a charity or nonprofit organization. This bill also provides specific protections for condominium developments, restricting the ability of regulators and local ordinances from effectively restricting or prohibiting the development of new condominium units, such as through differing permitting requirements for condominiums. CAI Oregon LAC advocated for the inclusion of this protection for condominium unit development.

**Status: PASSED, effective immediately.**

**HB 3294 Relating to removal of discriminatory language from recorded instruments:** This bill modifies the expedited process for the removal of discriminatory restrictive covenants via petitions to the circuit court. The Oregon Judicial Department has, under this bill, until January 1, 2025 to create a model template for such petitions. This bill also further streamlines the current petition process by allowing the court to issue a decision to remove discriminatory language without needing to wait for the previous 20-day appeal hearing period, provided there is sufficient evidence for the language's removal. CAI Oregon LAC was supportive of this legislation.

**Status: PASSED, effective January 1, 2024.**

**SB 82 Relating to homeowner insurance for wildfire risk:** This bill establishes new requirements for insurers that cancel or decide not to renew homeowner insurance policy, or that increases premium, for reason materially related to wildfire risk. It requires an insurer to make public, and reflect in insurer's underwriting guidelines and rate plans, certain information related to wildfire risk mitigation actions. It also requires the insurer to allow the insured at least 24 months to repair, rebuild or replace damaged or lost property if damage or loss was directly related to fire under the Emergency Conflagration Act. Finally, it prohibits an insurance

company from using maps of wildfire risk published by agencies of the state as basis for canceling or declining to renew policy or increasing premium.

**Status: PASSED, effective January 1, 2024.**

**SB 437 Relating to producing food in planned communities:** This bill would have prohibited associations from prohibiting or restricting an owner or tenant of an owner from engaging in actions deemed to be food production through gardening, hen-keeping, or beekeeping. CAI Oregon LAC opposed this bill.

**Status: Successfully DIED in Senate.**

**HB 3624 Relating to minimum lot sizes:** This bill would have opened up lots sized larger than one acre for higher density development, provided the lot was located either in a rural area or a residential area on non-resource land.

**Status: DIED in House.**

**SB 503 Relating to homeowners associations:** Originally, this was a study bill, intended to require the Oregon Real Estate Agency to study homeowners associations, and submit findings to interim committees of the Legislative Assembly related to housing no later than September 15, 2024. The bill was then amended to completely remove the study requirement, and instead create a new requirement for owners of impacted lots to give unanimous consent when determining the voting rights of any lot or unit. The bill would have also removed the ability for associations to independently determine liability for common expenses, and independently determine the right to common profits. CAI Oregon LAC opposed this bill.

**Status: Successfully DIED in Senate.**

**SB 835 Relating to subsurface sewage disposal:** Directs Environmental Quality Commission to adopt rules setting forth conditions for approving proposals to permanently connect accessory dwelling unit located on same lot or parcel as single-family dwelling to the same subsurface sewage disposal system, or an alternative sewage disposal system.

**Status: DIED in House.**

**HB 3215 Relating to residential units destroyed by disasters; and declaring an emergency:** This bill authorizes the Oregon Housing and Community Services Department to support replacement, reconstruction or rehabilitation of residential units damaged or destroyed by disasters, and to support the recovery of residents. To accomplish this, the bill establishes the Disaster Housing Recovery Fund.

**Status: PASSED, takes effect upon Governor's signature.**



For more information on community association legislation in Oregon, visit <https://www.caionline.org/Advocacy/LegalArena/Laws/Pages/OR.aspx>.

## Your Assistance is Needed

CAI relies on outside resources such as professional lobbying as a vital and integral part of the legislative process. The volunteers who advocate – including homeowner leaders, community managers, and business partners – greatly rely on contributions from management companies and business partners in addition to individuals to continue their important efforts in the legislature. CAI needs your financial support to bolster their advocacy activities in 2023 and beyond. We encourage donations from Oregon community associations, business partners, and individuals. Please visit [www.caionline.org/lacdonate/](http://www.caionline.org/lacdonate/) and donate to CAI’s Oregon Legislative Action Committee to support our continued efforts.

We need YOUR voice! [Sign up today](#) to become a CAI Advocacy Ambassador and help shape legislation in your state!

## Oregon Contact Information

- Visit <https://www.caionline.org/Advocacy/LAC/OR/Pages/default.aspx>
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