

2021 Legislative Session Report

Multnomah County
Government Relations



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2021 Oregon Legislative Session Recap

The 2021 legislative session, with the exception of floor sessions, was entirely virtual due to the Covid-19 pandemic. While this severely hampered the ability to lobby and gather information, the revenue forecast continued to improve. May's revenue forecast presented a remarkable number that filled the \$2 billion deficit which was expected at the beginning of the session. It was supplemented by nearly \$2.6 billion in American Rescue Plan Act funds provided by the federal government. All of this led to an expected personal income tax kicker of \$1.4 billion and a corporate tax kicker of \$664 million.

Despite its virtual proceedings, the session was marked by several significant events. Representative Mike Nearman opened the locked Capitol doors to certain members of the public which led to him being unanimously expelled, in tandem with insurrection activity in Washington D.C. Representative Diego Hernandez resigned his seat after much public pressure due to sexual harassment allegations from past legislative sessions; Andrea Valderrama was appointed in his place. The Republicans required bills to be read in full, slowing down the House floor sessions significantly; and then the House had multiple Covid-19 exposures, slowing down floor sessions even further. A September Special Session was announced mid-way through -- to deal with redistricting after the delayed census numbers are tabulated. House Agriculture and Natural Resources Chair Brad Witt was demoted due to questionable text messages with a female committee member. And in the final weeks, Lawanda Manning, wife and legislative assistant to Senator James Manning, passed away unexpectedly, news which broke the hearts of all who knew her.

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Housing & Homelessness

End of session budget bill.

[HB 5006](#) adds \$10 million in funding for the Behavioral Health Resource Center and \$5 million for Arbor Lodge Shelter.

OHCS budget bill.

[HB 5011](#) provides \$50 million for the Emergency Housing Assistance (EHA) program and the State Housing Assistance program (SHAP). It also allocates \$7 million for the Safe and Healthy Manufactured Housing package for the acquisition, preservation and decommissioning of manufactured homes.

I. SHELTERS AND HOMELESSNESS

Domicile unknown.

[SB 850](#) requires the addition of “domicile unknown” to death certificates to better track the housing status of people who pass away.

Project Turnkey support.

[HB 2004](#) provides an additional \$9.7 million to Project Turnkey for acquiring motels and hotels for use as non-congregate shelters.

Requires siting of emergency shelters.

[HB 2006](#) defines emergency shelters and requires local governments to site them under most circumstances.

Protects against the criminalization of homelessness.

[HB 3115](#) requires city and county laws regulating sitting, lying, sleeping, or keeping warm and dry outdoors on public property open to the public to be objectively reasonable as to time, place and manner with regards to persons experiencing homelessness. Creates new cause of action to enforce reasonableness requirements.

II. CREATING MORE AFFORDABLE HOUSING

Requires permitting for affordable housing.

[SB 8](#) requires local governments to allow affordable housing without a zone change in certain instances when the potential development is within the Urban Growth Boundary (UGB).

Expand Home Ownership Assistance Account.

[SB 79](#) expands the allowable uses for Home Ownership Assistance Account funds to include grants and loans to individuals for down payment assistance, in addition to grants, loans, and

technical assistance to organizations working to increase homeownership access for low-income individuals and people of color.

Addresses disparities and bias in mortgage lending.

[HB 2007](#) allows the Department of Consumer and Business Services to require implicit bias training for mortgage loan originators.

Temporary limitation on foreclosures.

[HB 2009](#) temporarily limits remedies that lenders may pursue when borrowers fail to make payments during an emergency period and provides certain timeframes for the Governor to extend the emergency period.

Making EHA/SHAP more equitable.

[HB 2100](#) adds culturally specific and other community-based organizations to the table for developing housing and community services programs at Oregon Housing and Community Services. Establishes the Taskforce on Homelessness and Racial Disparities to identify and investigate methods to decrease the rate of racial disparity in homelessness and increase access to homeless services for marginalized communities.

Long-term rent assistance.

[HB 2163](#) establishes a long-term rent assistance program in Oregon Housing and Community Services (OHCS) with a \$4.5 million investment. OHCS shall choose three-to-four regions to operate the program.

Improves access to homeownership for residents of manufactured homes.

[HB 2364](#) allows tenants to form a committee and compete to purchase a manufactured home facility and increases transparency for the cost to operate the facility.

Prevent and address youth homelessness.

[HB 2544](#) appropriates \$3.6 million to an unaccompanied homeless youth services enhancement grant program through the Oregon Department of Human Services (ODHS) to assist youth who are homeless or at risk of homelessness to secure housing and services.

Preemption on maximum occupancies.

[HB 2583](#) prohibits a maximum occupancy limit from being established or enforced by any local government, as defined in ORS 197.015, for any residential dwelling unit, as defined in ORS 90.100, if the restriction is based on the familial or nonfamilial relationships among any occupants.

Fee waiver for identification.

[HB 3026](#) requires the Oregon Department of Transportation (ODOT) to waive fees associated with license replacement, renewal or issuing if the person is experiencing homelessness.

Increase notice before removing camps.

[HB 3124](#) increases the notice law enforcement must provide before moving a campsite from 24 to 72 hours. The bill also clarifies who can receive and store unclaimed personal property and the location of storage in Multnomah County.

Buildable lands inventory.

[HB 3155](#) requires cities in a metropolitan service district with a population greater than 10,000 to determine their buildable lands supply, housing capacity of buildable lands supply, and existing and projected housing needs.

Prepares Oregon for long-term rent assistance.

[HB 3184](#) would have provided for a cost analysis study to assess the cost of providing long-term rent assistance.

Allowing shelter in place of a hotel.

[HB 3261](#) requires local governments to allow placement of emergency shelters or affordable housing if certain conditions emergencare met.

Increases options for housing affordability.

[HB 3335](#) funds an Accessory Dwelling Unit (ADU) Pilot program, which has the potential to support financial stability for homeowners and create an affordable rental home option, which helps prevent displacement.

Keeps people in their homes.

[HB 5011](#) funds the Emergency Housing Assistance (EHA) program and the State Housing Assistance program (SHAP) at \$50 million. It also funds the Safe and Healthy Manufactured Housing package, at \$7 million for acquisition, preservation and decommissioning of manufactured homes.

Increases supply of safe, stable, and affordable housing across Oregon.

[SB 5506](#) commits \$410 million to the Local Innovation and Fast Track, or LIFT Housing program, and Permanent Supportive Housing.

Preserve and maintain existing affordable housing.

[SB 5534](#) commits \$100 million in Lottery Bonds to meet the needs for affordable housing and to maintain existing affordable housing across Oregon, including all regulated, multifamily affordable housing, as well as public housing and manufactured home parks.

III. PROTECTING RENTERS

Protections for rents applying for assistance.

SB 278 requires that landlords and courts delay eviction proceedings by 60 days if a tenant has shown proof of applying for rent assistance. Expands the landlord repayment program to cover 100% of the rent forgiveness program.

Grace period for rent payback.

SB 282 extends the grace period of rent payback to February 28, 2022. Provides additional protections for future rent applications for renters who were unable to pay rent during the pandemic.

Health

I. PUBLIC HEALTH

Public health modernization.

[HB 5024](#) funds modernization at \$60 million for the 2021-23 biennium, adding \$45 million in additional funds to advance OHA's public health modernization efforts. This funding will largely support the work of local public health authorities, community-based organizations, and Tribes to improve health outcomes in the areas of communicable disease control, emergency preparedness and response, health equity, and environmental health.

Public health housekeeping.

[SB 64](#) tidies up a number of provisions in the public health statutes, including specifying that a person under 21 years of age may enter an establishment where tobacco products or inhalant delivery systems are sold for purposes of investigating violations, among other minor changes.

Regional health equity coalition definitions.

[SB 70](#) clarifies definitions of key terms, including "community-led," "cross-sector," "culturally specific," "regional health equity coalition," "regional health equity coalition model," and "priority populations." Requires Oregon Health Authority (OHA) to define "communities of color" by rule.

Safe gun storage.

[SB 554](#) requires guns to be locked in a safe, and if found negligent, a Class C felony can be charged unless that person is licensed under ORS 166.291 and 166.292 to carry a concealed handgun; a Class A felony can be applied if a minor is found to have accessed the unlocked firearm. Fees for a concealed permit increase to \$100 for initial issuance and \$75 for renewal.

Statewide tobacco retail licensure.

[SB 587](#) creates a statewide tobacco retail licensure program, while allowing counties like Multnomah to continue its existing program without an additional state license required. As such, existing licensing programs will need to have intergovernmental agreements with the Oregon Department of Revenue (ODOR) for information sharing and other purposes. This program is funded by licensing fees.

Wildfire recovery and mitigation.

[SB 762](#), known as the Comprehensive Wildfire Package, provides \$220 million to nine agencies for the purposes of implementing a statewide comprehensive strategy to promote wildfire risk reduction, response, and recovery. Highlights include \$3.3 million to the Department of Environmental Quality (DEQ) for smoke related programs; \$67 million to the Oregon Department of Forestry (ODF) to develop wildfire risk mitigation plan; \$5.1 million to ODHS for clean air shelter operations; \$4.7 million to the OHA to implement a grant program allowing local governments to establish clean air shelters and equip public buildings with smoke filtration systems; and other emergency management components.

Tribal health providers.

[HB 2088](#) adds Tribal Traditional Health Workers to the Traditional Health Workers Commission.

Online sales of vaping products prohibition.

[HB 2261](#) prohibits remote sales of inhalant delivery systems; defines “inhalant delivery system.” In addition, it specifies buyers must be 21 years of age and requires tobacco retailers to obtain a local license if operating in a jurisdiction with a local license requirement.

OHA contract approval for CCO parties.

[HB 2362](#) creates new provisions requiring approval from the OHA before defined mergers, acquisitions, contracts or affiliations of health care entities and other entities if entities meet or exceed specified threshold in average net patient revenue or in gross amount of premiums in preceding three fiscal years.

Dental therapy.

[HB 2528](#) expands workforce entrance options for dental care and expands state reciprocity agreements with other states. Expands testing requirements for entering into dental care.

Kratom regulation.

[HB 2646](#) allows the Oregon Department of Agriculture (ODA) to establish regulations for kratom products, as well as assess a registration fee to each kratom processor.

Public health modernization timeline extension.

[HB 2965](#) simply extends the deadline for public health modernization work from the end of 2023 to the end of 2025.

Universally offered home visits.

[HB 5024](#) provides \$7.8 million in funding, which includes \$4.6 million General Fund, to continue the phased roll-out of the universally offered home visiting program approved in 2019.

II. PHYSICAL HEALTH

Health care interpreters.

[HB 2359](#) requires health care providers to work with health care interpreters (HCI) from the HCI registry administered by OHA to ensure patients are served in languages other than English. OHA is also required to develop affordable training programs and maintain records of interpreters who complete the training.

Expanded telehealth.

[HB 2508](#) requires the OHA to develop rules for Coordinated Care Organizations (CCOs) to reimburse health services delivered via telemedicine at the same rate for health services delivered in person.

Expanding and improving school based healthcare.

[HB 2591](#) provides \$995K to OHA for 10 school districts to evaluate the need for school based health care; \$975K for grants to three school based health centers to operate telemedicine pilots; and \$285K for three school districts to implement mobile medical vans.

REAL-D and SOGI data collection.

[HB 3159](#) requires CCOs, health care providers, and health insurers, to collect data on race, ethnicity, preferred spoken and written languages, disability status (REAL-D), sexual orientation, and gender identity (SOGI) from the organization's patients, clients, or members. These organizations must provide this data to OHA annually.

Cover All People.

[HB 3352](#) expands the Cover All Children program to the Cover All People program and expands eligibility to adults who would qualify for Medicaid-funded state medical assistance program but for lack immigration status.

III. BEHAVIORAL HEALTH

OHA Community Mental Health Program budget.

[HB 5024](#) included no cuts to inflation for Community Mental Health Programs (CHMP) or to the CHOICE program as recommended by the Governor's budget, instead it included historic investments as follows: \$70.2 million to completely backfill marijuana revenue dedicated to behavioral health that was redirected by M110; \$21.5 million for "Aid and Assist" community restoration and clinical services, rental assistance and wraparound support, the majority of which will be allocated to CMHPs; \$25 million for continuation of the Certified Community Behavioral Health Clinic Program through the 2021-23 biennium; \$50 million for the "Transformation and System Alignment" special purpose appropriation for "investments that align outcomes, roles, responsibilities, risk and incentives in Oregon's behavioral health system;" and \$130 million for the "Regional Development and Innovation" special purpose appropriation for "capital, start-up, and operational costs related to increasing statewide capacity of licensed residential facilities and housing for people with behavioral health needs."

OHA Community Mental Health budget notes.

- 1. Regional development and innovation:** OHA shall award up to \$5 million to Community Mental Health Programs, Tribes, Regional Health Equity Coalitions, and other community grantees by September 1, 2021 for identifying community needs, assessing the feasibility and sustainability of potential projects, and other planning activities necessary to increase residential facility and housing capacity with a focus on reducing health inequities. OHA, in consultation with Oregon Housing and Community Services and OHA's advisory councils, including, but not limited to, the Oversight and Accountability Council, the Oregon Consumer Advisory Council and the System of Care Advisory Council, shall issue a Request for Proposals by December 31, 2021 and a recommendation for how to invest available funds for increasing culturally and linguistically appropriate residential treatment and housing capacity to the legislature by

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March 1, 2022.

- 2. Transformation and system alignment:** OHA shall contract with a third-party evaluator to evaluate current behavioral health programs with respect to budget, staffing, data and metrics analysis and tracking, and contracts. The evaluator shall submit a roadmap to increasing financial transparency, accountability and ongoing reporting on Oregon's behavioral health needs and outcomes. As part of this work, County Financial Assistance Agreements should align with Coordinated Care Organization contracts by addressing roles and responsibilities, and ensuring Oregon is maximizing federal funding. The contract shall also recommend risk alignment addressing liability concerns, administrative support, and oversight required of Community Mental Health Programs in monitoring treatment services, safety and compliance, and abuse and neglect investigations, as well as overseeing corrective plans, site reviews, crisis services, civil commitment process, and discharge transitions. OHA may request funding to operationalize these recommendations.
- 3. Certified Community Behavioral Health Clinics:** OHA shall administer the Certified Community Behavioral Health Clinic (CCBHC) demonstration program and evaluate whether CCBHCs: 1) increase access to behavioral health treatment for residents of this state; 2) provide integrated physical and behavioral health care; 3) offer services that result in improved health outcomes, lower overall health care costs and improved overall community health; and 4) reduce the cost of care for Coordinated Care Organization members. No later than February 1, 2023, OHA shall report its findings to the interim committees and subcommittees of the Legislative Assembly related to health and mental health and to the interim subcommittee of the Joint Committee on Ways and Means with authority over human services agencies' budgets.
- 4. Aid and Assist services:** OHA shall report to the Department of Administrative Services Chief Financial Office and Legislative Fiscal Office on February 1, 2022 and February 1, 2023 on the number of Aid and Assist clients served at the Oregon State Hospital and through community restoration, amount of funding awarded to communities and providers, and actual expenditures by Community Mental Health Program or direct contracts from the funding available in the agency's budget for community restoration services, case rate payments, and housing and wraparound services. The reported dollar amounts shall be detailed according to specific service. For amounts expended or obligated on housing and rental assistance, the report shall identify the number of individuals placed in housing as a result of the investments.

Governor's behavioral health omnibus.

[HB 2086](#) funds the OHA for multiple priorities including culturally specific services for people of color, tribal communities, and people with lived experience; reintegration of people into the community after found unfit to proceed in their criminal defense; directs OHA to provide an enhanced rate for co-occurring disorder treatment and to make recommendations for future rate development for other payers; allows OHA to set minimum rates for CCOs; requires analysis and reduction of administrative burdens on contractors (including CMHPs); requires OHA to

report recommendations for achieving a living wage for behavioral health workers to the Legislative Assembly by February 1, 2022; and a smattering of other related priorities.

DA initiation of incompetence petition.

SB 205 permits the District Attorney (DA) to provide to the state hospital a notice of intent to file a petition and allows the state hospital to delay discharge of the person for up to seven judicial days to allow the petition to be filed and the court to make findings. Requires the court, upon receipt of the petition, to schedule a hearing, and if the person is in custody, the hearing must commence within 30 days of the filing date, unless the court finds good cause.

Aid and Assist process.

SB 295 makes a host of changes regarding the minutiae of the restoration and court processes for those deemed unable to aid and assist in their criminal defense. Most important are the removal of the term “supervision” in conjunction with the Community Mental Health Program’s duties and the timelines established under which evaluations of a defendant must be performed; the results of which must be provided to the court ordering commitment; and for the treatment facility to provide progress reports on defendant’s treatment status to the court.

Judiciary and Ballot Measure 110 implementation.

SB 755 modifies and provides for implementation of Ballot Measure 110. Key modifications include law enforcement and criminal justice amendments, expanded community treatment amendments and oversight amendments. Appropriates \$7 million for community supervision of domestic violence offenders. In addition, provides the Oversight and Accountability Council \$13 million in 2021 to award to unawarded applicant requests for the 2019-2021 grant cycle. Policy changes include the following:

- **Expanded treatment/Behavioral Health Resource Network amendments:**
 - ARC changed to Behavioral Health Resource Network (BHRN)
 - Tribal entities and government agencies now eligible and not seen as last resort for funding
 - Must be at least one BHRN in each county (not CCO service area)
 - Removes sunset on 24/7 hotline and makes it a permanent statewide BHRN
 - Entities can apply jointly for BHRN funding (not only for brick and mortar spaces)
 - BHRNs must provide screenings by a certified addiction peer support or wellness specialist
 - Grantees cannot use grants to supplant or reduce funding, must disclose subgrantees and show how they are funding culturally specific services
 - Requires BHRN’s provide SUD treatment and housing
 - Encourages hiring new workforce with funding
 - Prioritizes funding for Tribes and underserved communities
 - Allows for funding mechanisms other than grants (i.e. contracts)
 - Grantees must seek reimbursement from insurance and Medicaid/Medicare

- **Law enforcement and criminal justice amendments:**
 - Requires cited individuals to complete screening for citation dismissal

- Limits jurisdiction over E violation tickets to Circuit Courts
 - Specifies \$100 as presumptive fine and \$45 as minimum for Class E violation with these monies allocated to the “Fund”
 - Requires officers to provide information on how to obtain assessment when citing
 - Clarifies that substantial quantities laws are still operative
 - Includes penalties for illegal fentanyl/hydrocodone possession
 - Prohibits use of ORS 153.992 to prosecute failing to appear for E violation related proceedings
 - Routes juveniles cited through juvenile department not adult court
 - Creates process for prosecuting attorneys to dispose of not yet adjudicated possession possession cases that would have been E violations
 - Ticket dismissal upon proof of completion of screening
 - Savings caused by reclassification from criminal to violation of E violations will be allocated to the “Fund”
 - Verification of screenings to be sent from OHA to OJD
 - Provides \$7 million for community supervision of domestic violence offenders
- **Oversight amendments:**
 - OAC quorum increased
 - OAC may consult Alcohol and Drug Policy Commission’s Strategic Plan in making decisions on funding
 - OAC members must file statements of economic interest and abide by ethical rules under ORS 244
 - OHA representative non-voting on OAC
 - OHA directed to publish information on grant recipients
 - OHA must report to legislature quarterly on grants
 - Requires real time audits and financial reviews, including data on law enforcement data and disparities

Suicide continuing education.

HB 2315 requires mental health practitioners at various levels to complete continuing education related to suicide risk assessment, treatment, and management, as directed by the relevant behavioral health regulatory board or the OHA. Specifies at least two hours of continuing education every two years, or three hours every three years. Authorizes OHA and boards to establish minimum criteria to exempt qualifying licensees.

Behavioral Health Housing Incentive Fund relocation.

HB 2316 relocates the Behavioral Health Housing Incentive Fund from OHCS back to its original location at OHA.

Mobile crisis and 988 Crisis Hotline.

HB 2417 allocates \$15 million -- \$5 million of which is a one-time allocation for “costs associated with the crisis hotline center” and \$10 million of it is an ongoing appropriation for mobile crisis services provided by CMHPs, doubling the current biennial investment.

BIPOC, Tribal, and rural behavioral health workforce investments.

[HB 2949](#) funds Rep. Bynum’s culturally specific workforce bill at \$80 million -- \$60 million for the “Behavioral Health Incentive Subaccount” for OHA to utilize for recruitment and retention of various levels of the behavioral health workforce and \$20 million for the coverage of clinical supervision costs. Of this \$20 million, \$7 million is dedicated specifically to CMHPs for this purpose.

Peer respite centers.

[HB 2980](#) funds four peer-run respite centers, one per region, including the Metro, Southern, Central/Eastern, and Coastal. Allocates \$6 million to OHA to award to peer-run organization applicants.

County to county suicide notification.

[HB 3037](#) clarifies that counties and Tribes are allowed to communicate with each other when a suicide is completed in one county by the resident of another county or Tribe. Sets timelines for notifications to ensure timely post-vention responses.

Mental health parity.

[HB 3046](#) requires carriers (including CCOs) that administer behavioral health benefits to conduct annual analysis of the design and application of medical necessity criteria and benefit limitations on mental health and substance use disorder benefits in comparison to medical and surgical benefits and submit those reports to the Department of Consumer and Business Services (DCBS) and the OHA. Requires DCBS to evaluate the insurer’s network adequacy. Specifies that any medical necessity, utilization or other clinical review conducted for behavioral treatment or care placement must be based solely on specified criteria. Becomes operational January 1, 2023.

Behavioral Health Resource Center.

[HB 5534](#) allocates \$10 million in Lottery Bonds through the Department of Administrative Services (DAS) to fund Multnomah County’s new Behavioral Health Resource Center located at 333 SW Park Ave, downtown Portland.

Lottery bonds for the Behavioral Health Housing Incentive Fund.

[HB 5534](#) provides \$20 million in Lottery bonds to the OHA for the Behavioral Health Housing Incentive Fund.

IV. OUTSTANDING ISSUES

Community restoration risk management.

[SB 198](#) sought to provide indemnification to any person providing community restoration services on behalf of a public body, against any tort claim occurring in the performance of official duties. OHA offered an interim solution until an agreement on this legislation can be reached.

Racism is a public health crisis.

[HB 2337](#) sought to declare racism a public health crisis and proposed three key community-informed investments to dismantle the structures of racism in our state by creating mobile health units to give vulnerable Oregonian's access to consistent care, improving data collection to empower our health officials to design tailored efficient and cost-effective programs to address health disparities, and elevating community voices most impacted by racism to shape Oregon's future. As a consolation prize, at the last minute, the House passed [HR 6](#).

Equity in rulemaking.

[HB 2353](#) would have required state agencies to do a racial equity analysis on new rulemakings before said rules could go into effect.

Sharps product stewardship.

[HB 2618](#) would have established a sharps product stewardship program. Rep. Schouten expects to convene a workgroup in the interim in preparation for the 2022 session.

Telecom tax for 988 Crisis Hotline.

[HB 3069](#) would have included a telecom tax to provide operations funds for the statewide 988 crisis hotline. It is expected to be revisited in the 2022 session.

Cannabis equity.

[HB 3112](#) sought to create a 13-member Equity Investment and Accountability Board and establish Cannabis Equity Fund to allocate moneys to: 1) to culturally competent community programs and partners; 2) to courts, Oregon State Police, Judicial Department, and the Office of Public Defense Services; 3) to programs that support minority-owned cannabis business; 4) for equity liaison positions within OHA and OLCC; and, 5) for other purposes. Sought to allow consumption at retail sites and in rental properties, as well as outdoor cannabis smoking areas in line with the Outdoor Clean Air Act; cannabis delivery licenses; and an automatic expungement process for qualifying cannabis-related crimes.

Human Services

ODHS budget for Oregonians of all ages.

[SB 5529](#) funds the Oregon Department of Human Services (ODHS), and corresponding programs within DCHS including: Intellectual and Developmental Disability (IDD) services, Aging and People with Disabilities (APD), Youth and Family Services (YFS), and Vocational Rehabilitation (VR). Notable funding increases include: \$10 million for the Survivor Investment Partnership program which will support three permanent positions and expanded services to domestic violence and sexual assault recovery survivors through contracts with culturally specific organizations and Tribes; \$4.3 million for Extended Case Management and Employment Support Services for refugees; \$44.7 million and 52 positions to expand Oregon Project Independence (OPI) to 2,250 more clients as well as create a new Family Caregiver Supports (FCS) program. For IDD Case Management, an additional \$37.3 million statewide was allocated, of which Multnomah County will receive \$15.5 million. Package 801 also included the provisions of [HB 3116](#) -- \$250K for a study to identify, and make recommendations for, an improved funding structure for CDDPs. The Department is expected to report the study's findings and recommendations to the Subcommittee by December 31, 2022.

I. SELF SUFFICIENCY

Telephone assistance.

[HB 2507](#) allows the Oregon Telephone Assistance Program to be offered as a separate program apart from the program funded by the federal government. Extends the sunset on the program from January 1, 2023 to January 1, 2030.

Earned Income Tax Credit expansion to ITIN filers.

[HB 2819](#) provisions were folded into [HB 2433](#), the Joint Taxation Omnibus bill. These particular provisions dubbed, "Leave No Worker Behind," allow otherwise qualified resident or nonresident individuals to claim the Earned Income Tax Credit using an Individual Taxpayer Identification Number (ITIN) in lieu of a social security number. Specifies the credit amount the individual would otherwise be eligible to claim but for section 32(m) of the Internal Revenue Code, multiplied by nine percent, or 12 percent for taxpayers with a dependent under the age of three at the close of the tax year. Applies to tax years beginning on or after January 1, 2022 and before January 1, 2026.

Healthy Homes Program.

[HB 2842](#) provides \$10 million to the OHA for grant awards to eligible entities which provide financial assistance to low income households and communities impacted by environmental justice factors, and to landlords for the repair and rehabilitation of residential dwelling units. Defines eligible entities as a local government, local housing authority, nonprofit organization, Federally Recognized Tribes of Oregon, Coordinated Care Organization, community action agency, or program administered by an electric company or natural gas utility.

Public purpose charge.

[HB 3141](#) provides an additional \$9.7 million to the Housing and Community Services Department (HCSD) in the 2021-23 biennium to expand the Energy Conservation Helping Oregonians (ECHO) weatherization program by allowing funding for manufactured housing replacement and changing energy sources from bulk fuels to electricity sources. Revenue will be generated from the public purpose charge assessed on the revenues of utility companies. The bill changes how the public purpose charge is allocated, resulting in a higher percentage of public purpose charge revenues being allocated to HCSD's ECHO program.

Universal representation.

[HB 3230](#) would have established the Universal Representation Fund to award grants to organizations to provide services related to immigration matters through a universal representation program. Funding can be used to provide attorney services and navigators. Includes \$10.5 million to DAS and \$4.5 million to the Judicial Department.

II. AGING AND PEOPLE WITH DISABILITIES

Long-term care facilities and emergency services.

[HB 5529](#) included a version of [HB 2327](#). HB 5529 outlined and funded the Long-Term Care Investment Package: \$44.4 million General Fund (\$132.2 million total funds), for enhanced rates for wages in assisted living, memory care, skilled nursing facilities, and in-home care services; \$1.4 million General Fund (\$12.2 million total funds) for workforce development and training; and \$14 million Other Funds for a new Capital Improvement and Emergency Preparedness program. The Oregon Department of Human Services (ODHS) is directed to adopt rules for the Long-Term Care Capital Improvement and Emergency Preparedness Program. ODHS is further directed to work with stakeholders to develop or expand training programs for workers in the long-term care sector.

III. EARLY CHILDHOOD CARE AND EDUCATION

Funds the Department of Education for education programs, cradle to career.

[HB 5513](#) appropriates General Funds to the Department of Education for certain expenses, including an additional \$70 million to serve 4,000 more children across the following programs:

- Preschool Promise: \$43.9 million (additional 2,516 children)
- Oregon PreKindergarten: \$17.4 million (additional 1,400 children)
- Oregon PreKindergarten 0-3: \$5.8 million (additional 256 children)
- Early Childhood Equity Fund: \$3 million
- Healthy Families Oregon: \$829K (100 children)
- Parent Education: \$2 million

Prohibits suspension and expulsion in early childhood and mandates study.

[SB 236](#) prohibits the use of suspension and expulsion in state funded early childhood settings beginning in 2026 and directs the Early Learning Division to conduct a study on the use of suspension and expulsion in early childhood care and education programs and on efforts to reduce and prevent use of suspension and expulsion.

Modifies the Preschool Promise Program’s community plan requirements.

[HB 2053](#) modifies community plan requirements for the Preschool Promise Program. The plan must include the identification of priority populations of children and families to enroll in the program; assessment of the availability of high-quality preschool programs; identification of methods for increasing enrollment and professional development opportunities to preschool providers; and prioritization of local entities to serve as preschool providers.

Early Learning Kindergarten Readiness Partnership and Innovation Program.

[HB 2054](#) modifies the Early Learning Kindergarten Readiness Partnership and Innovation Program. Modifies recipients of, and uses for, grants provided under the Early Learning Kindergarten Readiness Partnership and Innovation Program.

Establishes the Tribal Early Learning Hub.

[HB 2055](#) establishes the Tribal Early Learning Hub for delivering early learning services to the nine Federally Recognized Tribes of Oregon. The Early Learning Division shall establish a tribal advisory committee and adopt rules that prescribe the requirements for accountability and services provided.

Funds the Early Childhood Suspension and Expulsion Prevention Program.

[HB 2166](#) establishes an Early Childhood Suspension and Expulsion Prevention Program, providing \$5.8 million in General Funds for the implementation of [SB 236](#). Directs the State Board of Education to adopt social emotional learning standards and statewide social emotional framework. Expands State Board of Education rulemaking authority to include authority to adopt rules for public kindergartens and public elementary and secondary schools with the goal of increasing educator diversity. Authorizes the Teacher Standards and Practices Commission to approve certain educator preparation programs that are nontraditional pathways to licensure.

Allows use of rental units for a child care program.

[HB 2484](#) would have required landlords to allow dwellings to be used as a family child care home. Authorized the Early Learning Council to establish rules for landlords.

Early learning governance.

[HB 3073](#) changes the name of the Early Learning Division to the Department of Early Learning and Care. Establishes the Department of Early Learning and Care as a state agency that is separate from the Department of Education that functions and is coordinated by the Early Learning Council.

IV. OUTSTANDING ISSUES

Creating an early childhood equity in access report.

[SB 237](#) would have expanded reporting requirements produced by the Early Learning Division related to publicly funded early childhood care and education programs and the availability and accessibility of those programs.

APD workload analysis.

[HB 2595](#) would have required ODHS to conduct a Workload Impact Analysis, prior to the implementation of new, non-legislated policies.

Public Safety

Department of Corrections (DOC) - Community Corrections.

[HB 5004](#) provides \$290 million in funding for Community Corrections, reflecting an increase of \$32.7 million investment over the current service level. The Legislatively Adopted Budget includes Community Corrections Grant In Aid funding.

Criminal Justice Commission (CJC).

[HB 5005](#) funds the Criminal Justice Commission at its current service level after the phase out of the IMPACT Grant Program and one time federal funding is removed. Includes \$43.4 million for the Justice Reinvestment Initiative (JRI) and other grant programs.

I. ADDRESSING SYSTEMIC RACISM IN POLICING

Removes barriers to using the Multnomah County East County Courthouse.

[SB 188](#) expands Multnomah County's ability to hear cases at the East County Courthouse in Gresham. By increasing the number of cases heard in Gresham, we maximize efficiency for the Downtown and East County courthouses. This improves service and convenience for Multnomah County residents, especially our east county residents.

Law enforcement equity training and revoking of licence for excessive force.

[HB 2162](#) requires the Department of Public Safety Standards and Training (DPSST) to develop equity training programs. Revokes or suspends the licence of an officer engaged in bias, intent or excessive force. Additionally, it requires agencies with a certain number of sworn officers to be accredited by the DPSST.

Prohibits denial of services due to citizenship.

[HB 3265](#) prohibits law enforcement and other public agencies from denying services based on immigration status, limits law enforcement from inquiring into immigration status and prohibits the use of public resources to assist in federal immigration enforcement.

II. REDUCE BARRIERS TO SERVICES AND REENTRY

Adding civilian oversight.

[SB 204](#) adds civilian oversight agencies or review bodies to the definition of "criminal justice agency" if those agencies or review bodies are designated by a municipality or law enforcement agency to perform duties related to investigating allegations of officer misconduct or reviewing police policies and practices.

Modifies expungement procedures.

[SB 397](#) modifies the procedure for filing a motion to set aside conviction, arrest, citation or charge, eliminates fees, fingerprinting and background check, and reduces the waiting period for filing the motion for several categories.

Required supervision of domestic violence.

[SB 497](#) adds the requirement that individuals convicted of designated person misdemeanors, including domestic violence be supervised by Community Corrections. The bill also adds \$7 million to the Department of Corrections to offset additional case load. [SB 755](#) amended portions and reaffirmed a \$7 million investment.

Juvenile expunction.

[SB 575](#) creates an automatic expunction procedure for youth that meet certain requirements. The process is led at the county level and is paid for by the state.

Eliminate fines and fees associated with supervision.

[SB 620](#) eliminates the requirement of an individual under supervision to pay fees to a local jurisdiction for supervision. The bill also removes the requirement of fees for court ordered supervision and state Board of Parole fees. Fee collection amounts are offset by a State General Fund Allocation of \$10 million in [HB 5006 \(Section 165\)](#).

Community oversight.

[SB 621](#) allows for provisions of a city charter or ordinance that relate to the establishment of a local community oversight board created to oversee disciplinary matters concerning law enforcement officers to remain valid if passed via voters.

Eliminate fines and fees for youth.

[SB 817](#) retroactively and proactively eliminates fees, fines, and court costs associated with juvenile delinquency matters and provides for court-appointed counsel at state expense for all juvenile delinquency matters.

Funds education services in county juvenile detention centers.

[SB 5513](#) allocates \$5.2 million to the Juvenile Detention Education Program (JDEP) and requires the Oregon Department of Education (ODE) to consider equity, classrooms, number of students and percentage of students who qualify for special education when allocating funding to county sites like Donald E. Long.

CJC Innovative Grant Fund.

[HB 2049](#) creates innovative grant funds in the Criminal Justice Commission (CJC), with a \$2 million investment. CJC will create an application process for programs that demonstrate potential to have positive impacts on public safety, work with local public safety coordinating councils, and other requirements.

Restorative Justice Grant Program.

[HB 2204](#) directs the Criminal Justice Commission (CJC) to establish a \$4 million program to award grants to public and private entities for restorative justice programs.

Prohibits purchase of surplus military equipment.

[HB 2481](#) prohibits Oregon law enforcement agencies from receiving certain aircraft, grenades, grenade launchers, and firearms silencers from the federal government. Limits what funds can be used to purchase surplus military equipment from the federal government.

Use of tools by law enforcement.

[HB 2928](#) regulates and limits the use of chemical incapacitants, kinetic impact projectiles, strobe lights, and sound devices by law enforcement for the purpose of crowd control.

Officer duty to report misconduct.

[HB 2929](#) expands requirements of police officers to report physical, emotional, intellectual and moral fitness for public safety requirements.

Removes the discipline matrix.

[HB 2930](#) removes the discipline matrix as a mandatory subject of bargaining for law enforcement, and creates a statewide board for officer conduct and discipline, and conditions for arbitrators. Creates additional citizen oversight committees.

Use of force data collection.

[HB 2932](#) requires the Criminal Justice Commission (CJC) to develop a statewide database for correction officers' use of force, and report out. Also requires law enforcement agencies to participate in the FBI use of force data collection.

Youth hearing location and age of youth to be held by Oregon Youth Authority.

[HB 2939](#) specifies that a waiver hearing must be conducted in the county where the alleged act is alleged to have occurred and provides that youth up to the age of 20 may be committed to the OYA under certain circumstances.

Clarification of timelines for detaining youth.

[HB 2940](#) creates an exception to the 28-day limit for detaining youth under certain circumstances and allows a youth to waive appearance detention and status hearings to review case progression. Requires the court to hold a review hearing every 30 days at which the parties must describe the efforts made toward expeditious case resolution.

Report of law enforcement discipline.

[HB 3145](#) requires that if an officer is disciplined that imposes economic sanctions, information on rank and description of facts be reported to DPSST within 10 days.

Narrows crime of interfering with a peace officer.

[HB 3164](#) narrows the scope of refusal to obey an order to circumstances when an officer is performing duties. It also prohibits the arrest of a person for interfering with a peace officer for conduct that would constitute any other criminal offense.

Creates an advisory council for health standards in jails.

[HB 3229](#) creates an advisory council in CJC to develop recommendations for minimum standards, policies and procedures for the provision of health care services to adults in custody (AICs) in local correctional facilities.

Limits releasing of booking photos.

[HB 3273](#) prohibits law enforcement agencies from releasing booking photos except under certain circumstances and sets requirements for the destruction of a booking photo image by a publish-for-pay publication upon request.

Law enforcement identification requirement.

[HB 3355](#) requires law enforcement officers in jurisdictions of 60,000 or more to display a name or unique identifier and agency when doing crowd management.

Environment and Sustainability

Department of Environmental Quality (DEQ) budget.

[HB 5516](#) funds DEQ's current service level and adds additional funds including \$1.38 million to fully implement greenhouse gas reduction programs such as the Climate Protection Program and the Statewide Transportation Strategy; \$1.34 million in Vehicle Inspection Fees, increased by [HB 5517](#), which is the state's best tool for reducing vehicle emissions; and \$365K to fully implement the requirements of [HB 2007](#) (2019), a bill to accelerate the cleanup of older diesel trucks in the Portland metro area. Funds pay for one staff and IT upgrades to certify compliance with approved retrofits.

Recycling modernization.

[SB 582](#), formally known as the Plastic Pollution and Recycling Modernization Act, will make recycling easier for the public to use, expand access to recycling services, upgrade the facilities that sort recyclables, and create environmental benefits while reducing social or environmental harms, such as plastic pollution. Importantly, as a partial stewardship program, it will require covered producers and manufacturers to pay for many of these necessary improvements and help ensure recycling is successful in Oregon and ease the financial burden on local government and rate payers.

100% Clean Energy.

[HB 2021](#) sets clear, achievable targets for reducing emissions from Oregon's electricity grid, establishes strong labor standards for new clean energy projects, creates investments and opportunities for community-based renewable energy projects, and includes strong sideboards to ensure long-term affordability and reliability as we remake our energy system. The shift to 100% clean electricity is already under way, but this measure ensures we will reach the goal by 2040.

Low-income utility rates.

[HB 2475](#) sets a framework for a process within the Public Utility Commission (PUC) to provide financial assistance to environmental justice community organizations and enables utilities to offer discounts to Oregon households that are energy burdened based on the percentage of their income that they are spending on their energy bills. Aggregate assistance may not exceed \$500K annually. PUC must report back to the legislature in September, 2025.

Brownfields Cleanup Fund.

[HB 2518](#) creates a grant program to support the cleanup of contaminated sites known as brownfields, which undermine both environmental quality and economic prosperity in communities across Oregon. [HB 5534](#) allocated \$10 million to the grant fund.

OUTSTANDING ISSUES

REACH codes.

[HB 2398](#) would have allowed local governments to opt in to more stringent building code standards, providing for improved energy efficiency and thereby reduced emissions.

Indirect source diesel pollution study.

[HB 2814](#) would have required DEQ to study diesel pollution coming from “indirect sources” such as trains, construction and agricultural equipment and marine engines and make policy recommendations as to how to reduce these emissions.

Infrastructure, Transportation & Land Use

I. TRANSPORTATION & INFRASTRUCTURE

American Rescue Plan Act transportation investment.

[HB 5006](#) allocates \$80 million in American Rescue Plan Act funds for safety improvements on 82nd Avenue in Portland to prepare the road for jurisdictional transfer from the Oregon Department of Transportation to the City of Portland.

Levee Project Grant Fund.

[SB 622](#) establishes a Levee Project Grant Fund for assistance with levee projects including construction, repair, capital improvement, inspection, accreditation or certification. Approximately 60% of this fund must be spent in rural or distressed areas. [SB 5534](#) provides \$15 million for the Levee Project Grant Fund.

Solar photovoltaic expansion.

[HB 2109](#) modifies the definition of “renewable energy facility” to include solar photovoltaic power generation facilities of a certain size and electric power generating plants if the power is produced from geothermal or wind energy for purposes of county permitting process for certain energy facilities.

Road user charge (RUC).

[HB 2342](#) establishes a new resource for transportation funding that is not tied to the declining gas tax. The RUC more accurately ties use of the road to the road funding source as cars continue to electrify and become more fuel efficient. Programmatic details will be worked out in future sessions.

Transportation omnibus.

[HB 3055](#) allows the City of Portland and Multnomah County to set speeds within its boundaries when this responsibility is delegated by ODOT. It also creates the Toll Program Fund, which receives funds from toll collections to pay for regional projects on the state transportation system, diversion and congestion management projects adjacent to the state transportation system, and to use for bonding. It calls for ODOT to establish equitable income-based toll rates for tollway users, which are to be approved by the Oregon Transportation Commission (OTC).

II. LAND USE

Rural ADU's.

[SB 391](#) allows counties to authorize owners of a lot or parcel in rural residential zones to construct one accessory dwelling unit (ADU) on a lot or parcel, subject to certain conditions and compliance with local land use regulations. Disallows use of ADUs for vacation occupancy.

Creates more space for middle housing.

SB 458 increases the middle market housing supply by requiring cities and counties to have a simple land division approval process. It only applies to cities and counties with a certain population. Certain requirements for the new parcel are listed such as separate utilities and pedestrian access plans.

III. OUTSTANDING ISSUES

Authorizing counties to charge utilities for permitting costs.

HB 3049 would have allowed counties to charge utilities for direct costs associated with permitting when utilities access county right of way, and it gave counties more equal power when requesting that utilities move out of county right of way.

Operating dollars for Levee Ready Columbia.

Levee Ready Columbia, our Urban Flood Safety and Water Quality District along the Columbia River, requested \$2 million in operating dollars to fund operations as they stand up the new district that was established in 2019. This was not awarded this session.

Public Contracting

Clarifies standards for community benefit agreements.

[SB 420](#) provides a basic standard for what should be included in a Community Benefits Agreement. It leverages much of the work Multnomah County is already doing with C2P2, and provides more guidance for these types of agreements with large capital projects.

Changes the calculation for prevailing wage.

[SB 493](#) shifts the calculation for prevailing wage from the survey method to collective bargaining agreements. This new method is a regional approach and sets prevailing wage at the highest collectively bargained wage in the area.

Provides statewide coordination in preference for public contracting.

[HB 2374](#) increases reporting requirements for public contracting preferences, requiring DAS to monitor outcomes from preferences and recommend new guidelines for preference in public contracting.

Increases threshold for exemption from competitive bidding requirements.

[HB 3082](#) brings the small purchase threshold for public works construction projects in line with the limits for other public purchases. It raises the contract price at which contract solicitation is exempt from competitive bidding from \$5K to \$10K.

County Tax Issues

Emergency property tax relief.

[HB 2247](#) allows a county governing body to adopt an ordinance or resolution authorizing the county assessor to waive penalties and interest for failure to file a property tax return or pay taxes when due for the 2020-2021 and 2021-2022 property tax years if the failure is due to the COVID-19 pandemic or 2020 Oregon wildfires.

Low-income housing property tax exemption.

[HB 2446](#) extends sunset on property tax exemption available for property of nonprofit corporations used for low-income housing from June 30, 2022, to June 30, 2028.

Homestead exemption extension.

[HB 2634](#) extends the sunset date for the homestead property tax deferral program to 2033, and allows for a surviving spouse and/or disabled heir to continue the deferral of taxes for the occupied home.

Late property tax payment grace period.

[HB 3143](#) changes the onset of interest accrual date for late property taxes, from November 15 to December 15 annually. Takes effect on the 91st day following adjournment sine die.

OUTSTANDING ISSUES

Auditors funding modernization.

[SB 726](#) was a placeholder bill into which a number of funding mechanisms could have been inserted, to allow county tax assessors to hire more staff, keep rolls current, and increase county revenue. The Tax Assessors' Association, however, did not arrive at an agreement.

Other Bills that Impact Multnomah County

Common law employee.

[SB 111](#) corrects issues related with telework for out-of-state workers and PERS.

Telework PERS fix.

[SB 112](#) aligns the definitions of "employee" and "eligible employee" for the purposes of PERS eligibility with the definition of "employee" under the Federal Insurance Contributions Act. An individual is considered a common law employee if the individual works under the direction and control of an employer.

Clerk operating hours.

[SB 250](#) requires the County Clerk to be open a minimum of four hours per day, Monday through Friday.

Increase fee for death report.

[HB 2120](#) increases the fee for reports of death from \$20 to \$30. A portion of these fees cover the cost of funeral services for people who do not have friends or family to cover costs.

Observance of Juneteenth.

[HB 2168](#) recognizes June 19th, Juneteenth, as a state holiday -- the day that Union soldiers reached Galveston, Texas freeing 250,000 enslaved African Americans in Texas.

Expanding remote participation in public meetings.

[HB 2560](#) made permanent some of the COVID-19 public meeting modifications, including requiring all public meetings, to the extent reasonably possible, to be accessible by electronic/virtual means and, if testimony is being allowed in person, allowing people to submit oral or written testimony by phone, video, or other electronic means. These policy changes will apply to the County's Board and other county entities subject to public meetings law including land use hearings and Planning Commission hearings.

Multilingual election materials.

[HB 3021](#) requires the Secretary of State to create and make a public list of the five most common languages spoken in each county. In addition, voters pamphlets must include, in the five most common languages, website addresses for translated voters pamphlets.

Expands individuals as mandatory reporters.

[HB 3071](#) adds all state and local elected officials as mandatory reporters.

Expanded access to vote by mail.

[HB 3291](#) requires that ballots showing a postmark on or before election day and received not later than the 7th day after the election be counted.

Delay of Family Leave Act.

[HB 3398](#) delays implementation requirements for paid family and medical leave programs.

OUTSTANDING ISSUES

Dog licensing compliance.

[HB 2733](#) would have allowed a county to offer dog owners a 60-day grace period between issuing a dog license and obtaining proof of rabies vaccination. We believe this change in policy would increase licensing and vaccination compliance, as well as provide ease of use to dog owners.