

A-Engrossed
House Bill 3474

Ordered by the House June 8
Including House Amendments dated June 8

Sponsored by Representative SUMNER

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.

Prohibits regulation that prohibits or restricts religious [*or educational*] use of real property owned [*or leased*] by [*public body,*] religious organization [*or nonprofit educational organization*]. Allows reasonable regulation of physical characteristics of authorized uses.

A BILL FOR AN ACT

1
2 Relating to regulation of use of real property.

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

4 **SECTION 1. Section 2 of this 2005 Act is added to and made a part of ORS chapter 197.**

5 **SECTION 2. (1) For purposes of this section, "public body" has the meaning given that**
6 **term in ORS 174.109.**

7 **(2) Notwithstanding any statewide planning goals that are inconsistent with this section,**
8 **and except as provided in subsection (3) of this section, a public body may not prohibit or**
9 **restrict the use of real property for religious purposes if the real property is owned by a**
10 **religious organization.**

11 **(3) A public body may subject real property described in subsection (2) of this section to**
12 **reasonable regulations concerning the physical characteristics of the authorized uses in-**
13 **cluding, but not limited to, site review and design review.**

14 **SECTION 3. (1) Provisions of a statewide planning goal adopted under ORS chapters 195,**
15 **196 and 197 that are inconsistent with section 2 of this 2005 Act and any rules adopted by the**
16 **Land Conservation and Development Commission that are inconsistent with section 2 of this**
17 **2005 Act have no force or effect on or after the effective date of this 2005 Act.**

18 **(2) Within 90 days after the effective date of this 2005 Act, the commission shall adopt**
19 **a rule declaring the provisions of statewide planning goals and the administrative rules that**
20 **are inconsistent with section 2 of this 2005 Act and that, therefore, have no further force**
21 **or effect.**

22 **(3) Within one year after the effective date of this 2005 Act, the commission shall amend**
23 **or repeal statewide planning goals and administrative rules that are inconsistent with section**
24 **2 of this 2005 Act.**

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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.