

RESTORE LOCAL CONTROL & SAFETY RELATED TO PUBLIC CAMPING

Summary

In 2021, the legislature codified through HB 3115 the Martin vs. Boise decision, which said that restrictions on public camping must be objectively reasonable according to time, place and manner and through the lens of the person experiencing homelessness. The Martin vs. Boise decision was overturned by the U.S. Supreme Court's decision in Grants Pass vs. Johnson.

Despite the U.S. Supreme Court's ruling, HB 3115 remains on the books in Oregon and has severely restricted local governments' ability to respond to public camping in their own communities. The result has been rampant confusion and litigation related. The law must be repealed or modified to allow local governments to restore local control and safety in a manner consistent with their communities values. This is about giving local governments more tools to respond to homeless encampments in their communities. SB 1514 repeals HB 3115.

Key Talking Points

- HB 3115 is based on an outdated court decision that has been subsequently overturned by the U.S. Supreme Court.
- Despite the court's ruling, HB 3115 remains the law of the land in Oregon. It needs to be repealed or reformed.
- HB 3115 has left local governments in the lurch, tying their hands when trying to humanely and responsibly respond to unsanctioned public camping on their parks and sidewalks.
- SB 1514 proposes to repeal HB 3115, restoring the law to its pre-2021 state and providing needed clarity and tools to local governments.
- The factors that drive homelessness are complex and varied. The causes in Portland are not necessarily the same as in Prineville. Oregonians expect local control – it must be prioritized. Repealing or modifying HB 3115 advances that mission.
- Please help us restore local control and safety by repealing or modifying HB 3115 to give our local governments more tools to humanely respond to unsanctioned public camping.

Next Steps

- **The Senate Committee on Commerce and General Government will hold a public hearing on SB 1514 on Monday, February 16, at 8:00 a.m. We need as many witnesses as possible to testify in SUPPORT of SB 1514.**
- Testimony can be delivered in person or virtually. Registration is now open. Please register to testify [here](#). You must register in advance.
- Please also communicate your intent to testify to prestonmann@oregonbusinessindustry.com so we can track how many witnesses we will have.