

# House Bill 2659

Sponsored by Representatives LIVELY, WALLAN, BYNUM, Senator PROZANSKI; Representative HUDSON, Senator SOLLMAN (at the request of Cities of Springfield, Happy Valley, Troutdale, Medford, Hillsboro and League of Oregon Cities) (Pre-session filed.)

## 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 **as introduced**.

Requires Land Conservation and Development Commission to update rules adopted in response to Governor's executive order on climate to address specific issues. Prohibits enforcement of climate rules until updated.

Sunset January 2, 2028.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to climate rules for land use planning; and declaring an emergency.

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

4 **SECTION 1. Section 2 of this 2023 Act is added to and made a part of ORS chapter 197.**

5 **SECTION 2. (1) As used in this section, "climate rule" means any rule adopted by the**  
6 **Land Conservation and Development Commission in response to Executive Order 20-04 re-**  
7 **quiring agencies to take action to reduce and regulate greenhouse gas emissions, including**  
8 **rules related to parking mandates, reduced-vehicle areas, transportation planning, electric**  
9 **vehicle infrastructure or housing density.**

10 **(2) On or before January 1, 2028, the commission shall adopt amendments or replacement**  
11 **rules to the climate rules that:**

12 **(a) Advance climate targets and equity;**

13 **(b) Are the result of collaboration with local governments impacted by the climate rules;**

14 **(c) Develop an implementation timeline that acknowledges differing local capabilities and**  
15 **circumstances;**

16 **(d) Are consistent with ORS 197.040 (1)(b), allow local governments alternative actions**  
17 **to comply with the rules and provide flexibility for local circumstances;**

18 **(e) Allow for the consideration of existing local plans and projects;**

19 **(f) Allow for local governments to meaningfully engage with their constituents in deter-**  
20 **mining how to achieve outcomes;**

21 **(g) Provide model ordinances implementing the rules; and**

22 **(h) Balance implementation of statewide planning goals.**

23 **(3) The commission may not adopt amendments or replacement rules to the climate rules**  
24 **under this section unless the rule:**

25 **(a) Has the support of the governing bodies of at least 80 percent of all local governments**  
26 **that would be subject to the rule; and**

27 **(b) Includes a comprehensive economic impact statement identifying impacts on busi-**  
28 **nesses, the public and local governments.**

**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.

1           (4) The model ordinances under subsection (2)(g) of this section are enforceable against  
2 local governments who do not adopt amendments to their comprehensive plan or land use  
3 regulations to comply with the rules within the time required by the rules.

4           (5) In conjunction with adopting amendments or replacement rules to the climate rules  
5 adopted under this section, the Department of Land Conservation and Development shall  
6 identify strategies to ensure funding for the local government's implementation of the rules.  
7 The department shall make include moneys necessary for grants to local governments in the  
8 department's agency request budget, as described in ORS 291.208.

9           (6) Climate rules may not be enforced until the commission adopts amendments or re-  
10 placement rules to the climate rules under this section.

11           (7) On or before September 15, 2025, the department shall provide a report to an appro-  
12 priate interim committee of the Legislative Assembly in the manner provided in ORS 192.245  
13 on the updates to the climate rules under this section.

14           SECTION 3. Section 2 of this 2023 Act is repealed on January 2, 2028.

15           SECTION 4. This 2023 Act being necessary for the immediate preservation of the public  
16 peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect  
17 on its passage.

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