

## **FOR E W O R D**

Oregon Laws (also known as session laws) are the bills of one session of the Legislative Assembly that are enacted into law. Bills that passed both the Senate and House of Representatives are submitted to the Governor for approval or disapproval. The Governor files each Act that the Governor signs, or allows to become law without signature, with the Secretary of State for enrolling and session law chapter number assignment. Acts that the Legislative Assembly refers to Oregon voters are filed directly with the Secretary of State for enrolling and session law chapter number assignment.

Session law chapter numbering for each legislative session begins with 1 and continues consecutively. Chapters are numbered in the order in which they are approved. State statutory initiative measures that are adopted by Oregon voters at a regular general election are assigned session law chapter numbers for the immediately following odd-numbered year regular session.

Each published session law chapter contains a cross-reference to its bill number. The dates of the Governor's approval (if signed) and filing with the Secretary of State, and the chapter's effective date, appear at the end of each chapter. Resolutions are not law and, thus, only the date of filing with the Secretary of State by the Senate or House of Representatives appears at the end of each published resolution.

## **OREGON LAWS 2021**

Oregon Laws 2021 consists of two statutory ballot measures adopted by the voters at the regular general election held on November 3, 2020, and all the laws passed, and all the resolutions adopted, by the Eighty-first Legislative Assembly at its organizational session and its 2021 regular session. The Office of the Legislative Counsel prepares and publishes Oregon Laws in accordance with ORS 171.236.

Oregon Laws 2021, as published on the legislative website, also includes various supplemental documents related to the 2021 regular session. Among these supplemental documents are the Ballot Measure Tables that show the state ballot measures approved by voters and the 2020 amendments to the Oregon Rules of Civil Procedure promulgated by the Council on Court Procedures on December 12, 2020, that are effective on January 1, 2022. Other supplemental documents include the Tables of Senate and House Bills Enacted, the Tables of Statutes Affected by Measures (also called the amend and repeal (A&R) tables) and the Index.

## **Article IV, Section 10, of the Oregon Constitution**

Article IV, section 10, of the Oregon Constitution, authorizes each Legislative Assembly to convene an organizational session of unlimited duration and limits the duration of the assembly's odd-numbered year regular session to 160 calendar days and even-numbered year regular session to 35 calendar days.

## **ORS 171.010**

ORS 171.010 implements Article IV, section 10, of the Oregon Constitution, and sets the starting date of the odd-numbered year and even-numbered year regular sessions. The starting date of the odd-numbered year regular session is the Tuesday after the legal holiday for Martin Luther King Jr.'s Birthday. The starting date of even-numbered year regular sessions is the first day of February, except when the first day of February falls on a Thursday, Friday, Saturday or Sunday. In any one of these instances, the even-numbered year regular session will start on the following Monday.

### **EIGHTY-FIRST OREGON LEGISLATIVE ASSEMBLY Organizational Session January 11, 2021**

The Eighty-first Legislative Assembly convened its organizational session on January 11, 2021, to introduce measures, choose its officers, judge the election and qualifications of its members, and adopt rules of proceeding. The Legislative Assembly adopted House Concurrent Resolution 21 (2021), which established schedules and deadlines for the 2021 regular session, and Senate Concurrent Resolution 21 (2021), which adjourned the organizational session.

### **2021 Regular Session January 19 to June 26, 2021**

The first calendar day of the 2021 regular session was January 19, 2021; however, committee hearings and floor sessions were postponed until January 21, 2021, because of national and state security concerns surrounding the presidential inauguration. The Eighty-first Legislative Assembly then took up its work for the 2021 regular session under modified rules of proceeding and protocols intended to reduce the risk of transmitting the SARS-CoV-2 virus among legislators, staff and the public and to satisfy the requirements imposed on the Legislative Assembly by the Oregon Constitution.

While open only to authorized personnel during the pandemic, the State Capitol completely shut down Friday, February 12, 2021, ahead of the severe ice and snow storm that pounded Oregon over Valentine's Day weekend, and remained shut down on Monday and Tuesday, February 15 and 16, 2021, because of ongoing power and Internet outages and hazardous travel conditions statewide. In late March and then in April, the House of Representatives postponed its floor sessions after reports of at least three possible COVID-19 exposures on the House floor. Floor sessions in the Senate were also affected by various postponements. Rescheduling of House and Senate floor sessions did not affect the remote, online committee hearings of either the House or the Senate.

Postponement of legislative activities did not reset the tolling of the legislative calendar. The 2021 regular session of the Eighty-first Legislative Assembly adjourned on June 26, 2021, which was the 159th calendar day. The Legislative Assembly passed 683 bills that were

submitted to the Governor and adopted and referred two proposed constitutional amendments to the people at the regular general election on November 8, 2022. The legislative referrals are:

- Senate Joint Resolution 10 (2021), which proposes an amendment to the Oregon Constitution to prohibit slavery and involuntary servitude in all circumstances.
- Senate Joint Resolution 12 (2021), which proposes an amendment to the Oregon Constitution establishing the obligation of the state to ensure every resident of Oregon has access to health care.

Other notable resolutions adopted by the 2021 regular session are:

- House Concurrent Resolution 11 (2021), which modifies the lyrics of the state song, "Oregon, My Oregon."
- House Concurrent Resolution 24 (2021), which celebrates the 50th anniversary of Oregon's Bottle Bill and renews the Legislative Assembly's commitment to this public policy.
- House Concurrent Resolution 28 (2021), which amended Legislative Branch Personnel Rule 27 and adopted Legislative Branch Personnel Rule 27-B.
- House Resolution 3 (2021), by which the House of Representatives expelled Representative Mike Nearman and declared his seat vacant.
- House Resolution 6 (2021), which declares racism to be a public health crisis in this state.
- Senate Concurrent Resolution 17 (2021), which establishes an environmental justice framework of principles for the State of Oregon.
- Senate Concurrent Resolution 22 (2021), by which the Legislative Assembly apologized to Robert Parker for his 31 years of suffering injuries and effects of racism and institutional bias that denied him admission to the Oregon State Bar, and urged the Oregon Supreme Court to admit Robert Parker to the bar.
- Senate Concurrent Resolution 24 (2021), which adjourned the 2021 regular session sine die.
- Senate Concurrent Resolution 25 (2021), which establishes limitations and deadlines for drafting of legislative measures for the 2022 regular session and also provides that labor negotiations concerning employees of the legislative branch are not considered legislative deliberations under the Oregon Constitution and shall be conducted in executive session under Oregon public meetings law.

After 15 months of restrictions to limit the spread of the SARS-CoV-2 virus, the Governor declared Oregon reopen for business on June 30, 2021. The Capitol reopened to the public on July 12, 2021. The Capitol had been closed to the public and nonessential personnel since March 18, 2020. Although reopened, visitor access within the Capitol is limited by significant construction activities related to phase II of the Capitol Accessibility, Maintenance and Safety (CAMS) project. Members of the Legislative Assembly and most legislative staff continue to work remotely.

## **Effective Date**

Pursuant to ORS 171.022, each Act passed by the Legislative Assembly takes effect on January 1 of the year after passage of the Act unless a different date is specified in the Act. Article IV, section 28, of the Oregon Constitution, provides that an Act may not take effect sooner than 90 days from the end of a legislative session unless an emergency is declared in the Act. Unless otherwise specified in the Act, an Act in which an emergency is declared takes effect on the date it is approved by the Governor or, if neither approved nor disapproved by the Governor, on the date it is filed in the office of the Secretary of State.

**The normal effective date for most Acts passed at the 2021 regular session of the Eighty-first Legislative Assembly is January 1, 2022.**

## **Referendum**

An Act that takes effect sooner than 90 days after the end of the session in which it is passed is not subject to referendum by petition under Article IV, section 1, of the Oregon Constitution. Other Acts may be referred to the people for their approval or rejection by petition filed with the Secretary of State not more than 90 days after the end of the session.

Three Acts passed by the Legislative Assembly at its 2021 regular session and signed by the Governor were the subjects of referendum petitions filed with the Secretary of State and approved for circulation. Petitioners had until September 24, 2021 [the 90th day after adjournment sine die], to turn in petition signatures to the Secretary of State for verification. Petitioners failed to turn in signatures by the deadline. The 2021 Acts that were the subjects of the referendum petitions are:

- Chapter 146, Oregon Laws 2021 (Enrolled Senate Bill 554), which took effect on September 25, 2021.
- Chapter 233, Oregon Laws 2021 (Enrolled House Bill 2681), which took effect on September 25, 2021.
- Chapter 551, Oregon Laws 2021 (Enrolled House Bill 3291), which took effect on January 1, 2022.

---

## **VOTES ON STATE MEASURES**

### **General Election, November 3, 2020**

The following state measures, referred to the people of Oregon by the Eightieth Legislative Assembly at its 2019 regular session, or proposed by initiative petition, were voted on at the general election held on November 3, 2020:

<b>Ballot Title</b>	<b>Proposed by</b>	<b>Outcome</b>
No. 107 — Amends Constitution: Allows laws limiting political campaign contributions and expenditures, requiring disclosure of political campaign contributions and expenditures, and requiring political campaign advertisements to identify who paid for them.	SJR 18 (2019)	Passed
No. 108 — Increases cigarette and cigar taxes. Establishes tax on e-cigarettes and nicotine vaping devices. Funds health programs.	HB 2270 (chapter 525, Oregon Laws 2019)	Passed
No. 109 — Allows manufacture, delivery, administration of psilocybin at supervised, licensed facilities; imposes two-year development period.	Initiative Petition 34	Passed
No. 110 — Provides statewide addiction/recovery services; marijuana taxes partially finance; reclassifies possession/penalties for specified drugs.	Initiative Petition 44	Passed

## Veto Summary

### ACTS OF THE 2021 REGULAR SESSION OF THE EIGHTY-FIRST LEGISLATIVE ASSEMBLY

Three bills passed by the Eighty-first Legislative Assembly at its 2021 regular session were vetoed by the Governor pursuant to Article V, section 15b, of the Oregon Constitution. The Governor approved the remaining 680 bills that the Legislative Assembly submitted to the Governor for approval or disapproval. The Governor also exercised the authority granted by Article V, section 15a, of the Oregon Constitution, by vetoing one single item in an appropriation bill.

Bill Number	Subject	Veto Date
SB 574	Allows motorcycle operators to navigate slow or stopped traffic on highways, with two or more lanes and with a speed limit or posted speed of 50 miles per hour or more, by traveling between lanes of traffic moving at 10 miles per hour or less in the same direction (a practice known as "lane filtering" or "lane splitting").  Veto sustained in accordance with Article V, section 15b, of the Oregon Constitution. Senate measure history, 6-26-21.	5-26-2021
SB 721	Makes independent and expands the authority and scope of duties of the Consumer Advisory Council that advises the Director of the Oregon Health Authority regarding policies related to the delivery of mental health and substance use disorder services. Authorizes council to select its own members.  Senate, at 2021 first special session, passed motion to lay bill, together with Governor's message, on the table. Senate measure history, 9-20-21.	8-6-2021
SB 5514, section 5	Section 5, chapter 289, Oregon Laws 2021 (Enrolled Senate Bill 5514), authorized the transfer of up to \$200 million from the principal of the Education Stability Fund (lottery moneys) to the State School Fund for allocation to the Department of Education for the 2021-2023 biennium.  The Legislative Assembly subsequently passed section 9, chapter 678, Oregon Laws 2021 (Enrolled House Bill 3011), which repealed section 5, chapter 289, Oregon Laws 2021 (Enrolled Senate Bill 5514).	6-15-2021
HB 2646	Requires registration of kratom products and kratom processors with the State Department of Agriculture. Requires the department to adopt rules establishing standards for the testing and labeling of kratom products and procedures for product registration.  Prohibits kratom retailers from selling, distributing or exposing for sale kratom products for personal consumption from a kratom processor that is not registered with the	8-6-2021

department. Authorizes department to impose civil penalties for violation.

Prohibits kratom product transactions between kratom retailers and an individual who is under 21 years of age. Provides that each violation is a Class C misdemeanor, punishable by maximum of 30 days' imprisonment, \$1,250 fine, or both.

Veto sustained in accordance with Article V, section 15b, of the Oregon Constitution. House measure history, 9-27-21.

---