

CHAPTER 108

AN ACT

SB 1529

Relating to housing; amending ORS 431A.430 and 456.378; and declaring an emergency.

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

SECTION 1. ORS 431A.430 is amended to read: 431A.430. (1) As used in this section:

(a) "Air conditioner" means a portable, stand-up air conditioner that has an energy efficiency ratio rating of eight or higher.

(b)(A) "Air filter" means an air filtering device that uses a high-efficiency particulate air (HEPA) filter to remove contaminating particles from the air.

(B) "Air filter" does not include a device that is labeled an "air purifier" and that uses an electrostatic or ionizing process.

(c) "Eligible distribution entity" means a:

(A) Local government as defined in ORS 174.116;

(B) Local housing authority;

(C) Nonprofit organization;

(D) Federally recognized Indian tribe in Oregon;

(E) Indian health center;

(F) Coordinated care organization as defined in ORS 414.025;

(G) Community action agency as described in ORS 458.505;

(H) Manufactured dwelling park nonprofit cooperative as defined in ORS 62.803;

(I) Landlord that has a residential tenant who has received medical assistance through the Oregon Health Authority, the Department of Human Services or Medicare within the past 12 months;

(J) Electric utility as defined in ORS 757.600; or

(K) Natural gas utility as defined in ORS 757.392.

(d) "Medical assistance" has the meaning given that term in ORS 414.025.

(2)(a) The Oregon Health Authority shall create a program to:

(A) Acquire a supply of air conditioners and air filters; and

(B) Distribute the air conditioners and air filters to eligible distribution entities that will provide the air conditioners and air filters *[on an emergency basis]* **for an emergency or anticipated emergency** to eligible individuals as described in subsection (4) of this section.

(b) The Oregon Health Authority may provide or contract with one or more third parties to administer the program.

(3) The administrator of the program shall:

(a) Determine the percentage of program funds needed to support the costs of installation and materials for installation.

(b) Determine the percentage of program funds, but no more than 10 percent of program funds, needed to cover the costs of the authority or a third

party or parties and eligible distribution entities in administering the program.

(c) Make technical assistance resources available to individuals who receive an air conditioner or air filter under the program that answer questions about the installation, use and maintenance of the air conditioners and air filters.

(d) Provide *[technical assistance]* to eligible distribution entities[.];

(A) Technical assistance, including assistance that supports the distribution, installation and maintenance of the air conditioners and air filters[.]; and

(B) Reimbursement for costs of identifying eligible Oregonians, delivering devices, providing utility supports when otherwise not available and ensuring that devices are installed and working properly.

(4) An eligible distribution entity may distribute air conditioners and air filters under this section only to individuals who:

(a) Are eligible to receive medical assistance through the Oregon Health Authority, the Department of Human Services or Medicare, **including under the Cover All People program established in ORS 414.231**, or have received any of these services in the past 12 months;

(b) Reside in any type of housing or recreational vehicle, as defined in ORS 174.101, that has electricity for operating the air conditioner or air filter; and

(c) Upon receiving an air conditioner or air filter, provide an attestation that the individual can safely and legally install the air conditioner or air filter in the individual's home or recreational vehicle.

(5) The Oregon Health Authority shall make available a list of eligible distribution entities participating in the program to:

(a) Individuals who are eligible to receive medical assistance through the Oregon Health Authority or Department of Human Services.

(b) The 2-1-1 system provided for in ORS 403.400 to 403.430.

(c) The Housing and Community Services Department.

(6) The Oregon Health Authority and any eligible distribution entity participating in the program are immune from civil liability for:

(a) The functioning, safety or impact of any air conditioner or air filter distributed by the program.

(b) Any heat-related health impacts to an individual using an air conditioner or air filter distributed by the program.

(7) The Oregon Health Authority shall adopt rules to implement the program.

SECTION 2. ORS 456.378 is amended to read:

456.378. (1) The Housing and Community Services Department shall develop and implement the Housing Choice Landlord Guarantee Program for the purpose of providing financial assistance to

landlords to mitigate damages caused by tenants who have received rental assistance:

(a) Under the Housing Choice Voucher Program; or

(b) From a rehousing initiative under section 4, 5 or 11, chapter 15, Oregon Laws 2023.

(2) Landlords that are eligible for assistance under the Housing Choice Landlord Guarantee Program must submit an application in the form and format prescribed by the department. Assistance is limited to reimbursement for only those amounts that are related to property damage, unpaid rent or other damages:

(a) Caused by tenants described in subsection (1) of this section;

(b) That exceed normal wear and tear; and

(c) That, **per tenancy**, are in excess of \$500 but not more than *[\$5,000 per tenancy]* **a maximum amount established by the department by rule.**

(3) A landlord must submit an application for assistance to the department within one year following the later of the date that:

(a) The tenancy terminates;

(b) The landlord obtains possession of the dwelling unit; or

(c) Payments from the Housing Choice Voucher Program to the landlord terminate.

(4) The department may contract with a public or private provider for the administration of the Housing Choice Landlord Guarantee Program. The department is not subject to the provisions of ORS chapter 279A or 279B in awarding a contract under the provisions of this subsection. The department shall establish by rule procedures for inviting proposals and awarding contracts under this subsection.

(5) The department shall adopt rules to implement the provisions of this section, including but not limited to prescribing additional qualifications and requirements that must be met by landlords and the form of application that must be submitted to the department to receive assistance under the program.

SECTION 3. This 2024 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2024 Act takes effect on its passage.

Approved by the Governor April 17, 2024

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