



HOUSE OF REPRESENTATIVES

VOTE EXPLANATION ON HB 4204

This Special Session of the Oregon Legislature has seen a large number of bills and issues which have been on a quick time-table for passage. While many of the proposals merit discussion, most of them are highly-complex and require thoughtful analysis and discussion. HB 4204 is a great example of an issue needing a great deal more analysis.

I voted **No** on HB 4204 because I believe the bill will impose restrictions on our state-chartered and regulated financial institutions and provide a more favorable environment for large, nationally-regulated banks. It's always important to keep our home-grown Oregon businesses strong but especially while we are in the midst of the current COVID-19 pandemic.

The federal regulator for the national banking system, the Office of the Comptroller of the Currency in guidance declared in their OCC Bulletin 2020-62 issued on June 17, 2020, that any foreclosure moratorium is invalid and preempted as to national banks. Also, even if the bill on this issue is not illegal as a violation of the Oregon and US contract clauses, it only constrains Oregon's community banks. Courts have held that the Legislature cannot cancel a contract. There is a potential conflict with the Contracts Clause in the US Constitution.

It is for those reasons I voted no on HB 4204.

Representative Rick Lewis