

Enrolled
Senate Bill 599

Sponsored by Senator CAMPOS, Representative RUIZ; Senators BROADMAN, FREDERICK, GELSER BLOUIN, GOLDEN, MANNING JR, MEEK, PATTERSON, PHAM K, SOLLMAN, Representatives CHAICHI, CHOTZEN, FRAGALA, GAMBA, GRAYBER, HUDSON, MARSH, MUÑOZ, NERON, NGUYEN H, NOSSE, SOSA (Presession filed.)

CHAPTER

AN ACT

Relating to immigration status discrimination in real estate transactions; creating new provisions; amending ORS 90.303; and declaring an emergency.

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

SECTION 1. Sections 2 and 3 of this 2025 Act are added to and made a part of ORS chapter 90.

SECTION 2. Except as required by a federal program that provides rent subsidies or affordable rents:

(1) A landlord may not inquire about the immigration or citizenship status of an applicant, a tenant or a member of an applicant's or a tenant's household.

(2) If a landlord requires verification of the identity of an applicant or tenant, the landlord shall accept any of the following, or any combination thereof, necessary to verify an applicant's name, date of birth and physical appearance:

(a) A Social Security card or evidence of a Social Security number;

(b) A certified copy of a record of live birth;

(c) A permanent resident card issued by the United States Citizenship and Immigration Services;

(d) An immigrant or nonimmigrant visa;

(e) An individual taxpayer identification number card issued by the Internal Revenue Service;

(f) A passport, driver license or other government-issued identification, regardless of expiration date; or

(g) Any nongovernment identification or combination of identifications that would permit a reasonable verification of identity.

(3) A landlord may not discriminate against an applicant, a tenant or a member of an applicant's or a tenant's household on the basis of actual or perceived immigration or citizenship status.

SECTION 3. (1) A landlord may not, with the intent or purpose of harassing, retaliating against or intimidating, disclose or threaten to disclose the immigration or citizenship status of an applicant, a tenant or a member of an applicant's or a tenant's household.

(2) A violation of this section or section 2 of this 2025 Act is:

(a) Considered a violation of ORS 90.390 (1) and subject to ORS 90.390 (2) and (3); and

(b) Only for purposes of ORS 659A.885, considered an unlawful practice and subject to remedies under ORS 659A.885.

SECTION 4. ORS 90.303 is amended to read:

90.303. (1) When evaluating an applicant, a landlord may not consider a previous action to recover possession pursuant to ORS 105.100 to 105.168 if the action:

(a) Was dismissed or resulted in a general judgment for the applicant before the applicant submits the application.

(b) Resulted in a general judgment against the applicant that was:

(A) Entered five or more years before the applicant submits the application; or

(B) Entered on claims that arose on or after April 1, 2020, and before March 1, 2022.

(2) When evaluating the applicant, a landlord may consider a previous arrest of the applicant only if the arrest resulted in charges for criminal conduct as described in subsection (3) of this section and:

(a) The applicant was convicted of the charges; or

(b) The charges are pending and the applicant is not presently participating in a diversion, conditional discharge or deferral of judgment program on the charges.

(3) When evaluating the applicant, the landlord may consider criminal convictions or pending charges only for conduct that is presently illegal in this state and is:

(a) A drug-related crime, but not including convictions based solely on the use or possession of marijuana;

(b) A person crime;

(c) A sex offense;

(d) A crime involving financial fraud, including identity theft and forgery; or

(e) Any other crime if the conduct for which the applicant was convicted or charged is of a nature that would adversely affect:

(A) Property of the landlord or a tenant; or

(B) The health, safety or right to peaceful enjoyment of the premises of residents, the landlord or the landlord's agent.

(4) When evaluating an applicant, a landlord may not consider the possession of a medical marijuana card or status as a medical marijuana patient.

(5) When evaluating an applicant, a landlord may not consider an applicant's unpaid rent, including rent reflected in judgments or referrals of debt to a collection agency, that accrued on or after April 1, 2020, and before March 1, 2022.

(6) When evaluating an applicant, a landlord may not:

(a) Inquire about the immigration or citizenship status of an applicant or a member of the applicant's household; or

(b) Reject an application because an applicant or a member of the applicant's household does not produce a Social Security number or prove lawful presence in the United States, provided that the applicant agrees to provide identification as provided in section 2 of this 2025 Act.

SECTION 5. ORS 90.303, as amended by section 10, chapter 39, Oregon Laws 2021, is amended to read:

90.303. (1) When evaluating an applicant, a landlord may not consider a previous action to recover possession pursuant to ORS 105.100 to 105.168 if the action:

(a) Was dismissed or resulted in a general judgment for the applicant before the applicant submits the application.

(b) Resulted in a general judgment against the applicant that was entered five or more years before the applicant submits the application.

(2) When evaluating the applicant, a landlord may consider a previous arrest of the applicant only if the arrest resulted in charges for criminal conduct as described in subsection (3) of this section and:

(a) The applicant was convicted of the charges; or

(b) The charges are pending and the applicant is not presently participating in a diversion, conditional discharge or deferral of judgment program on the charges.

(3) When evaluating the applicant, the landlord may consider criminal convictions or pending charges only for conduct that is presently illegal in this state and is:

(a) A drug-related crime, but not including convictions based solely on the use or possession of marijuana;

(b) A person crime;

(c) A sex offense;

(d) A crime involving financial fraud, including identity theft and forgery; or

(e) Any other crime if the conduct for which the applicant was convicted or charged is of a nature that would adversely affect:

(A) Property of the landlord or a tenant; or

(B) The health, safety or right to peaceful enjoyment of the premises of residents, the landlord or the landlord's agent.

(4) When evaluating an applicant, a landlord may not consider the possession of a medical marijuana card or status as a medical marijuana patient.

(5) When evaluating an applicant, a landlord may not:

(a) Inquire about the immigration or citizenship status of an applicant or a member of the applicant's household; or

(b) Reject an application because an applicant or a member of the applicant's household does not produce a Social Security number or prove lawful presence in the United States, provided that the applicant agrees to provide identification as provided in section 2 of this 2025 Act.

SECTION 6. Sections 2 and 3 of this 2025 Act and the amendments to ORS 90.303 by section 4 of this 2025 Act become operative 30 days after the effective date of this 2025 Act.

SECTION 7. This 2025 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2025 Act takes effect on its passage.

Passed by Senate March 24, 2025

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Obadiah Rutledge, Secretary of Senate

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Rob Wagner, President of Senate

Passed by House May 19, 2025

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Julie Fahey, Speaker of House

Received by Governor:

.....M.,....., 2025

Approved:

.....M.,....., 2025

.....Tina Kotek, Governor

Filed in Office of Secretary of State:

.....M.,....., 2025

.....Tobias Read, Secretary of State