

Submitter: Timothy Bailey  
On Behalf Of:  
Committee: Senate Committee On Natural Resources and Wildfire  
Measure, Appointment or Topic: SB78

This is a simple issue. If SB 78 made it into Oregon Law there will be a class action civil suit by every home owner out there that SB 78 intends to prevent from building or rebuilding their residence.

It is a clear violation of the US Constitution that, while does not explicitly state a right to a private residence, the Fourth and Fifth Amendments, through the Due Process and Takings Clauses, protect property rights and limit government interference with private property, including homes, and searches/seizure.

It is also a violation of the 14th Amendment - No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

I am not an attorney, but am very sure if SB 78 made it into Oregon law you ( Oregon State Government ) will be seeing in court a large number of attorneys representing the Oregon Citizens whose home ownership and building rights you are attempting to stomp on .

SB 78 is an extremely terrible idea, I urge you to terminate the bill and focus on actually helping your Oregon Citizens, not hindering us and making our lives more difficult.

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