

ORIGINAL

HISTORY SHEET HOUSE

By: Representatives	Bill	2166	DATE ENGROSSED ^{PRINTED} <i>April 17, 1973</i>
	Resolution		DATE REENGROSSED
	Memorial		DATE ENROLLED

McCOY, BURROWS

TITLE
Relating to instruments of conveyance and providing penalties.

HOUSE ACTION		SENATE ACTION	
READ FIRST TIME <i>JAN 2 1973</i>	READ SECOND TIME <i>JAN 2 1973</i>	READ FIRST TIME APR 25 1973	READ SECOND TIME APR 26 1973
REFERRED TO <i>Judiciary</i>	REFERRED TO <i>Judiciary</i>	REFERRED TO <i>Judiciary</i>	REFERRED TO <i>Judiciary</i>
REPORTED BACK APR 19 1973	WITH THE RECOMMENDATION THAT IT ▼	REPORTED BACK JUN - 1 1973	WITH THE RECOMMENDATION THAT IT ▼
<input type="checkbox"/> DO PASS	<input checked="" type="checkbox"/> DO PASS WITH AMENDMENT	<i>Do pass</i>	
REREFERRED TO	REREFERRED TO	REREFERRED TO	REREFERRED TO
REPORTED BACK	WITH THE RECOMMENDATION THAT IT ▼	REPORTED BACK	WITH THE RECOMMENDATION THAT IT ▼
<input type="checkbox"/> DO PASS	<input type="checkbox"/> DO PASS WITH AMENDMENT		
READ THIRD TIME AND PASSED <i>April 24 - per Chas. H. [unclear], 1973</i>	READ THIRD TIME AND PASSED	READ THIRD TIME AND PASSED JUN 5 1973	READ THIRD TIME AND PASSED
SIGNED <i>[Signature]</i>	CHIEF CLERK	SIGNED <i>[Signature]</i>	SECRETARY OF SENATE
DATE		HOUSE CONCURRED IN SENATE AMENDMENTS AND REPASSED	

ADDITIONAL ACTION

DATE	ACTION

Enrolled
House Bill 2166

Sponsored by Representatives McCOY, BURROWS

CHAPTER.....

AN ACT

Relating to instruments of conveyance.

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

SECTION 1. (1) No person conveying or contracting to convey fee title to real property shall include in an instrument for such purpose a provision restricting the use of the real property by any person or group of persons by reason of color, race, religion or national origin.

(2) Any such provision in an instrument executed in violation of subsection (1) of this section is void and unenforceable.



Chapter

, Oregon Laws 1973

ENROLLED

House Bill 2166

Passed by House

April 24, 1973

~~Repassed by House~~

.....
Chief Clerk of House

.....
Speaker of House

Passed by Senate

June 5, 1973

~~Repassed by Senate~~

.....
President of Senate

Received by Executive Department:

..... M.,, 1973.

Approved:, 1973.

.....
Governor

Filed in Office of Secretary of State:

..... M.,, 1973.

.....
Secretary of State

Enrolled
ENGROSSED

House Bill 2166

~~Ordered by the House
(Including Amendments by Committee on Judiciary April 17)~~

Sponsored by Representatives McCOY, BURROWS

CHAPTER

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Prohibits person from executing instrument conveying or contracting to convey fee title to real property that contains [*clause*] **provision** restricting use of such property by reason of **color, race, religion or national origin**. Makes instruments containing such [*clauses*] **provisions void and unenforceable**. [*Prohibits recording of instruments that contain such clauses. Provides penalties.*]

[*Applies to instruments executed on or after January 1, 1974.*]

NOTE: Matter in **bold face** in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted; complete new sections begin with **SECTION**.

~~A BILL FOR AN ACT~~

Relating to instruments of conveyance.

Blank
eng **Be It Enacted by the People of the State of Oregon:**

SECTION 1. (1) No person conveying or contracting to convey fee title to real property shall include in an instrument for such purpose a provision restricting the use of the real property by any person or group of persons by reason of color, race, religion or national origin.

(2) Any such provision in an instrument executed in violation of subsection (1) of this section is void and unenforceable.



SENATE COMMITTEE REPORT

Salem, Oregon May 30, 1973

Mr. President:

Your Committee on JUDICIARY to whom was referred

Engrossed House Bill 2166, having had the same under consideration,

respectfully report it back with the recommendation that it:

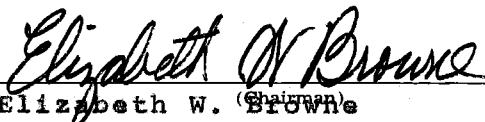
- Do pass: Do pass with amendments:
 Be adopted: Be adopted with amendments:
 Do pass with amendments to the printed engrossed bill.
 (Referred to Committee on Ways and Means by prior reference)
 (Other—specify)

Reporting no: Eivers

Voting aye: JOHN BURNS, KEITH BURNS, HOYT, SMITH, BROWNE

Excused: COOK

Submit:
2 copies if no amdts.
4 copies if amdts.
5 copies if to be printed engrossed.


Elizabeth W. ^(Chairman) Browne

Sen. John Burns
will lead floor discussion.

ENGROSSED

House Bill 2166

Ordered by the House
(Including Amendments by Committee on Judiciary April 17)

Sponsored by Representatives McCOY, BURROWS

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Prohibits person from executing instrument conveying or contracting to convey fee title to real property that contains [*clause*] **provision** restricting use of such property by reason of **color**, race, religion or national origin. Makes instruments containing such [*clauses*] **provisions void and unenforceable**. [*Prohibits recording of instruments that contain such clauses. Provides penalties.*]

[*Applies to instruments executed on or after January 1, 1974.*]

NOTE: Matter in **bold face** in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted; complete new sections begin with **SECTION**.

1

A BILL FOR AN ACT

2 Relating to instruments of conveyance.

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

4 **SECTION 1.** (1) No person conveying or contracting to convey fee
5 title to real property shall include in an instrument for such purpose a pro-
6 vision restricting the use of the real property by any person or group of
7 persons by reason of color, race, religion or national origin.

8 (2) Any such provision in an instrument executed in violation of sub-
9 section (1) of this section is void and unenforceable.




Representative Katz

will lead the floor discussion on this measure.

Committee Report Review - Engrossed and Enrolled Bills Unit

Date 4/17/73

We have examined the report of the House Committee on Judiciary,
dated 4/17/73, on measure HB 2166, and,
pursuant to House Rule 8.20(2), attest that the measure in the form reported out is accurate in form and style
according to the **Form and Style Manual for Legislative Measures.**



For Engrossed and Enrolled Bills Unit

Engrossed HB 2166

Prohibits person from executing instrument conveying or
contracting to convey fee title to real property that contains
[clause] provision restricting use of such property by reason
of color, race, religion or national origin. Makes instruments
containing such [clauses] provisions void and unenforceable.
[Prohibits recording of instruments that contain such clauses.
Provides penalties.]

[Applies to instruments executed on or after January 1, 1974.]

Committee Report Review – Legislative Counsel

Date 4/17/73


We have examined the report of the House Committee on Judiciary,
dated 4/17/73, on measure HB 2166, and,
pursuant to House Rule 8.20(2), attest that the revised bill summary complies with the requirements of House
Rule 14.15(4) and that the identification of substantive changes in the report is accurate.



For Legislative Counsel

- MEASURE HAS NO REVISED SUMMARY.
- MEASURE HAS NO SUBSTANTIVE CHANGES.

HCR 73-3



Committee Clerk

HOUSE COMMITTEE REPORT

2166

COMMITTEE ON Judiciary DATED 4/17/73

Mr. Speaker: The committee on Judiciary to whom was referred

HB 2166, having had the same under consideration, respectfully reports it back with the recommendation:

- that the bill do pass.
- that the bill do pass as amended.
- that the bill be now referred to the Committee on _____

_____ (according to prior reference)

IDENTIFICATION OF SUBSTANTIVE AMENDMENTS BY THE COMMITTEE:

On page 2 of the printed bill, line 2 is amended.

Line 5 is amended.

Line 7 is amended.

Lines 10 through 18 are deleted.

EXPLANATION OF THE BILL:

Prohibits person from executing instrument conveying or contracting to convey fee title to real property that contains provision restricting use of such property by reason of color, race, religion or national origin. Makes such provision void and unenforceable.

ATTACHMENTS

- Engrossed bill
- Attested by E & E
- Attested by Leg. Counsel

Chairman

Date: 4/17/73

HOUSE AMENDMENTS

TO HB 2166

COMMITTEE ON Judiciary

Committee Report dated 4/17/73 Date(s) of Committee Action: 4/4/73

In line 2 of the printed bill, delete "; and providing penalties".

In line 5, delete "may" and insert "shall".

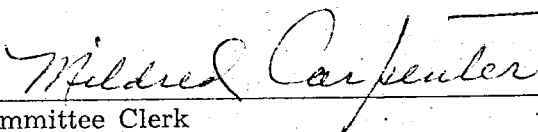
In line 6, delete "clause" and insert "provision".

In line 7, after "of" insert "color,".

In line 8, after "Any" insert "such provision in an".

In line 9, after "void" insert "and unenforceable".

Delete lines 10 through 18.


Committee Clerk

Eng 8/1/73 sg/le
WJ
See-Eng
ek/df

Eng 8/1/73

House Bill 2166

Sponsored by Representatives McCOY, BURROWS

Order by the House
Committee on
Law and Public Safety
by
Committee on
Law and Public Safety

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure ~~as introduced.~~

Revised

Prohibits person from executing instrument conveying or contracting to convey fee title to real property that contains clause restricting use of such property by reason of race, religion or national origin. Makes instruments containing such clauses void. Prohibits recording of instruments that contain such clauses. Provides penalties.

Applies to instruments executed on or after January 1, 1974.

NOTE: Matter in bold face in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted; complete new sections begin with SECTION.

House Bill 2166

Sponsored by Representatives McCOY, BURROWS

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Prohibits person from executing instrument conveying or contracting to convey fee title to real property that contains clause restricting use of such property by reason of race, religion or national origin. Makes instruments containing such clauses void. Prohibits recording of instruments that contain such clauses. Provides penalties.

Applies to instruments executed on or after January 1, 1974.

NOTE: Matter in **bold face** in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted; complete new sections begin with **SECTION**.

1

A BILL FOR AN ACT

2

Relating to instruments of conveyance; and providing penalties.

3

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

4

SECTION 1. (1) No person conveying or contracting to convey fee title to real property ^{shall} may include in an instrument for such purpose a ^{provision} ~~clause~~ restricting the use of the real property by any person or group of persons by reason of ^{color} race, religion or national origin.

8

(2) Any instrument executed in violation of subsection (1) of this section is void ^{such provision in an} and unenforceable.

10

SECTION 2. No instrument conveying or contracting to convey fee title to any real property may be accepted for recording by any county clerk or recording officer in this state if such instrument contains a clause restricting the use of the real property by any person or group of persons by reason of race, religion or national origin.

15

SECTION 3. Violation of section 1 of this Act is punishable, upon conviction, by a fine of not more than \$500.

17

SECTION 4. This Act applies to instruments described in section 1 of this Act that are executed on or after January 1, 1974.



A BILL FOR

AN ACT

Relating to instruments of conveyance; and providing penalties.

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

Section 1. (1) No person conveying or contracting to convey fee title to real property may include in an instrument for such purpose a clause restricting the use of the real property by any person or group of persons by reason of race, religion or national origin.

(2) Any instrument executed in violation of subsection (1) of this section is void.

Section 2. No instrument conveying or contracting to convey fee title to any real property may be accepted for recording by any county clerk or recording officer in this state if such instrument contains a clause restricting the use of the real property by any person or group of persons by reason of race, religion or national origin.

Section 3. Violation of section 1 of this Act is punishable, upon conviction, by a fine of not more than \$500.

Section 4. This Act applies to instruments described in section 1 of this Act that are executed on or after January 1, 1974.

HOUSE BILL BACK

1

▼ CROSS OUT INAPPLICABLE WORDS ▼

RECEIVED
HOUSE DESK

BILL

~~RESOLUTION~~

NUMBER

2166

1973 JAN 24 PM 5 07

~~MEMORIAL~~

Title:

Relating to instruments of conveyance; and providing penalties.

Sponsored by Representatives

Representatives McCoy, Burrows

ADDITIONAL SIGNERS

HOUSE

SENATE

Akeson
 AuCoin
 Bazett
 Blumenauer
 Bunn
 Burrows *MB*
 Byers
 Cherry
 Cole
 Densmore
 Dereli
 Elliott
 Eymann
 Fadeley
 Gilmour
 Grannell
 Groener
 Gwinn
 Hampton
 Hanneman
 Hansell
 Ingalls
 Johnson, L.
 Johnson, S.
 Jones
 Kafoury
 Katz
 Kinsey
 Lang
 Lindquist

Macpherson
 Magruder
 Markham
 Martin
 Marx
 McCoy *CM*
 Morris
 Oakes
 Otto
 Patterson
 Paulus
 Peck
 Perry
 Priestley
 Ragsdale
 Rieke
 Roberts
 Skelton
 Stevenson
 Stults, D.
 Stults, R.
 Sumner
 Walden
 Whallon
 Whitehead
 Whiting
 Wilhelms
 Willits
 Wolfer, C.
 Wolfer, M.

Atiyeh
 Boe
 Browne
 Burbidge
 Burns, J.
 Burns, K.
 Carson
 Cook
 Eivers
 Fadeley
 Groener
 Hallock
 Hartung
 Heard
 Holmstrom
 Howard
 Hoyt
 Jernstedt
 Macpherson
 Mahoney
 Meeker
 Newbry
 Ouderkirk
 Potts
 Ripper
 Roberts
 Smith
 Stevenson
 Thorne
 Wingard

Staple

Staple