



EXECUTIVE ORDER NO. 23-03

DIRECTING STATE AGENCIES TO PRIORITIZE REDUCING HOMELESSNESS

On January 10, 2023, the Governor issued Executive Order No. 23-02, which declared a state of emergency in the following federally designated continuum of care regions across the state: Eugene, Springfield/Lane County; Portland, Gresham/Multnomah County; Medford, Ashland/Jackson County; Central Oregon; Salem/Marion, Polk Counties; Hillsboro, Beaverton/Washington County, and Clackamas County, hereafter the “emergency areas” due to a significant increase in unsheltered homelessness in these areas since 2017 and directed certain state agencies to take specific actions to immediately reduce unsheltered homelessness and its impacts. Executive Order No. 23-02 calls for a reduction in the total number of people experiencing unsheltered homelessness in emergency areas.

Working in tandem with Executive Order No. 23-02, this Executive Order No. 23-03 instructs state agencies to prioritize reducing both sheltered and unsheltered homelessness in all areas of the state—not solely those in which a state of emergency has been declared—using their existing statutory authorities. Although the significant increase in unsheltered homelessness constitutes an emergency in specific geographic areas, homelessness is a significant issue across the State of Oregon. The number of individuals experiencing homelessness has increased by almost forty percent across the State since 2017. According to the 2022 Point in Time Count, an estimated 18,000 individuals were experiencing homelessness and the Point in Time Count is an underestimate of total need. In terms of the total number of people experiencing homelessness, approximately 4,000 of those 18,000 individuals reside in the Balance of State continuum of care, which was not designated an emergency area, and spans across Eastern Oregon, parts of the Columbia River Gorge, portions of Southern Oregon, and the Southern Coast.

NOW THEREFORE, IT IS HEREBY DIRECTED AND ORDERED THAT:

1. From the date of this Executive Order, all executive state agencies not headed by an elected official as directed by the Governor or her delegate:
 - a. Expansion of services. Exercise any and all authority and discretion vested in the state agency by law to expand low-barrier shelter, rehouse people experiencing homelessness, and prevent homelessness.



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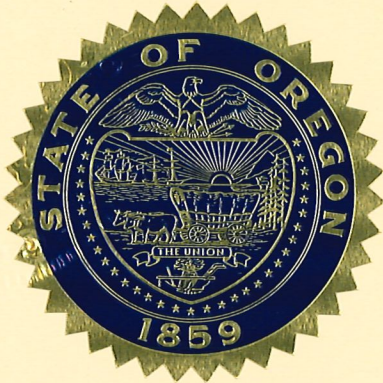
- b. Expedite agency processes. Prioritize and expedite any processes and procedures, including but not limited to rule making processes, that may be used, consistent with each state agency's authority and other pertinent laws to reduce or prevent homelessness. Each agency shall provide an initial report to the Governor no later than March 31, 2023, describing the processes and procedures that it has available to expand low-barrier shelter, and reduce or prevent homelessness, including a description of how it has and will expedite implementation of such processes and procedures.
 - c. Agency decisions. As consistent with each agency's authorities, prioritize reduction and prevention of homelessness in their planning, budgets, investments, and policy making decisions.
 - d. Procurement and legal sufficiency exemptions. For purposes of an emergency exemption from competitive procurement requirements an emergency exists as that term is defined in ORS 279A.010(1)(f). For the purposes of an emergency exemption from legal sufficiency review requirements under ORS 291.047(5)(b) and OAR 137-045-0070, an emergency exists. Reliance on such exemptions to address the emergency shall be at the direction of the Governor or her delegee.
 - e. Participation in interagency council on homelessness. The Governor's Office will continue the interagency council on homelessness to develop strategies to guide the state response to homelessness.
2. Discretion; No Right of Action. Any decision made by the Governor pursuant to this Executive Order is made at her sole discretion. This Executive Order is not intended to create, and does not create, any individual right, privilege, or benefit, whether substantive or procedural, enforcement at law or in equity by any party against the State of Oregon, its agencies, departments, or any officers, employees, or agents thereof.
 3. Severability. If any portion of this Executive Order is held by a court of competent jurisdiction to be invalid, all remaining portions of this Executive Order shall remain in effect.



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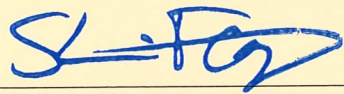
4. Duration. This Executive Order is effective immediately and shall remain in effect until January 10, 2024, unless extended or terminated earlier by the Governor. The Governor shall reassess the necessity of this Executive Order every two months and shall retain, modify, or supplement it as circumstances warrant.

Done at Salem, Oregon, this 10th day of January, 2023.




Tina Kotek
GOVERNOR

ATTEST:


Shemia Fagan
SECRETARY OF STATE