

House Bill 3455

Sponsored by Representative BUTLER

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**.

Revises definition of "consolidated billing tax rate" to include urban renewal plans substantially amended.

A BILL FOR AN ACT

1
2 Relating to urban renewal; amending ORS 457.010.

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

4 **SECTION 1.** ORS 457.010 is amended to read:

5 457.010. As used in this chapter, unless the context requires otherwise:

6 (1) "Blighted areas" means areas that, by reason of deterioration, faulty planning, inadequate
7 or improper facilities, deleterious land use or the existence of unsafe structures, or any combination
8 of these factors, are detrimental to the safety, health or welfare of the community. A blighted area
9 is characterized by the existence of one or more of the following conditions:

10 (a) The existence of buildings and structures, used or intended to be used for living, commercial,
11 industrial or other purposes, or any combination of those uses, that are unfit or unsafe to occupy
12 for those purposes because of any one or a combination of the following conditions:

13 (A) Defective design and quality of physical construction;

14 (B) Faulty interior arrangement and exterior spacing;

15 (C) Overcrowding and a high density of population;

16 (D) Inadequate provision for ventilation, light, sanitation, open spaces and recreation facilities;

17 or

18 (E) Obsolescence, deterioration, dilapidation, mixed character or shifting of uses;

19 (b) An economic dislocation, deterioration or disuse of property resulting from faulty planning;

20 (c) The division or subdivision and sale of property or lots of irregular form and shape and in-
21 adequate size or dimensions for property usefulness and development;

22 (d) The laying out of property or lots in disregard of contours, drainage and other physical
23 characteristics of the terrain and surrounding conditions;

24 (e) The existence of inadequate streets and other rights of way, open spaces and utilities;

25 (f) The existence of property or lots or other areas that are subject to inundation by water;

26 (g) A prevalence of depreciated values, impaired investments and social and economic
27 maladjustments to such an extent that the capacity to pay taxes is reduced and tax receipts are
28 inadequate for the cost of public services rendered;

29 (h) A growing or total lack of proper utilization of areas, resulting in a stagnant and unpro-
30 ductive condition of land potentially useful and valuable for contributing to the public health, safety
31 and welfare; or

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 (i) A loss of population and reduction of proper utilization of the area, resulting in its further
 2 deterioration and added costs to the taxpayer for the creation of new public facilities and services
 3 elsewhere.

4 (2) "Certified statement" means the statement prepared and filed pursuant to ORS 457.430 or
 5 an amendment to the certified statement prepared and filed pursuant to ORS 457.430.

6 (3) "City" means any incorporated city.

7 (4) "Consolidated billing tax rate" means:

8 (a) If the urban renewal plan is an existing urban renewal plan (other than an existing urban
 9 renewal plan designated as an Option Three plan under ORS 457.435 (2)(c)), **an urban renewal plan**
 10 **that was an existing urban renewal plan (other than an existing urban renewal plan desig-**
 11 **ned as an Option Three plan under ORS 457.435 (2)(c)) prior to a substantial amendment**
 12 **as described in ORS 457.085 (2)(i)** or an urban renewal plan adopted on or after October 6, 2001,
 13 the total of all district tax rates used to extend taxes after any adjustment to reflect tax offsets
 14 under ORS 310.105, but does not include any rate derived from:

15 (A) Any urban renewal special levy under ORS 457.435;

16 (B) A local option tax, as defined in ORS 280.040, that is approved by taxing district electors
 17 after October 6, 2001; or

18 (C) A tax pledged to repay exempt bonded indebtedness (other than exempt bonded indebtedness
 19 used to fund local government pension and disability plan obligations that, until funded by the ex-
 20 empt bonded indebtedness, were described in section 11 (5), Article XI of the Oregon Constitution),
 21 as defined in ORS 310.140, that is approved by taxing district electors after October 6, 2001; and

22 (b) In the case of all other urban renewal plans, the total of all district ad valorem property tax
 23 rates used to extend taxes after any adjustments to reflect tax offsets under ORS 310.105, except
 24 that "consolidated billing tax rate" does not include any urban renewal special levy rate under ORS
 25 457.435.

26 (5)(a) "Existing urban renewal plan" means an urban renewal plan that provides for a division
 27 of ad valorem property taxes as described under ORS 457.420 to 457.460 adopted by ordinance before
 28 December 6, 1996, that:

29 (A) Except for an amendment made on account of ORS 457.190 (3) and subject to paragraph (b)
 30 of this subsection, is not changed by substantial amendment, as described in ORS 457.085 (2)(i)(A)
 31 or (B), on or after December 6, 1996; and

32 (B) For tax years beginning on or after July 1, 1998, includes the limit on indebtedness as de-
 33 scribed in ORS 457.190 (3).

34 (b) If, on or after July 1, 1998, the maximum limit on indebtedness (adopted by ordinance before
 35 July 1, 1998, pursuant to ORS 457.190) of an existing urban renewal plan is changed by substantial
 36 amendment, then "indebtedness issued or incurred to carry out the existing urban renewal plan" for
 37 purposes of ORS 457.435 includes only the indebtedness within the indebtedness limit adopted by
 38 ordinance under ORS 457.190 (3)(c) before July 1, 1998.

39 (6) "Fiscal year" means the fiscal year commencing on July 1 and closing on June 30.

40 (7) "Governing body of a municipality" means, in the case of a city, the common council or other
 41 legislative body thereof, and, in the case of a county, the board of county commissioners or other
 42 legislative body thereof.

43 (8) "Housing authority" or "authority" means any housing authority established pursuant to the
 44 Housing Authorities Law.

45 (9) "Increment" means that part of the assessed value of a taxing district attributable to any

1 increase in the assessed value of the property located in an urban renewal area, or portion thereof,
2 over the assessed value specified in the certified statement.

3 (10) "Maximum indebtedness" means the amount of the principal of indebtedness included in a
4 plan pursuant to ORS 457.190 and does not include indebtedness incurred to refund or refinance
5 existing indebtedness.

6 (11) "Municipality" means any county or any city in this state. "The municipality" means the
7 municipality for which a particular urban renewal agency is created.

8 (12) "Taxing body" or "taxing district" means the state, city, county or any other taxing unit
9 which has the power to levy a tax.

10 (13) "Urban renewal agency" or "agency" means an urban renewal agency created under ORS
11 457.035 and 457.045.

12 (14) "Urban renewal area" means a blighted area included in an urban renewal plan or an area
13 included in an urban renewal plan under ORS 457.160.

14 (15) "Urban renewal project" or "project" means any work or undertaking carried out under
15 ORS 457.170 in an urban renewal area.

16 (16) "Urban renewal plan" or "plan" means a plan, as it exists or is changed or modified from
17 time to time for one or more urban renewal areas, as provided in ORS 457.085, 457.095, 457.105,
18 457.115, 457.120, 457.125, 457.135 and 457.220.

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