

**Enrolled**  
**House Bill 3082**

Sponsored by Representative FREDERICK; Senator SHIELDS

CHAPTER .....

AN ACT

Relating to nonprofit corporation low income housing; creating new provisions; amending ORS 307.540 and 307.543; and prescribing an effective date.

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

**SECTION 1.** ORS 307.540 is amended to read:

307.540. As used in ORS 307.540 to 307.548:

(1) "Governing body" means the city or county legislative body having jurisdiction over the property for which an exemption may be applied for under ORS 307.540 to 307.548.

(2) **According to the election of a governing body pursuant to ORS 307.543 (1), "low income" means:**

(a) Income at or below 60 percent of the area median income as determined by the State Housing Council based on information from the United States Department of Housing and Urban Development[.]; **or**

(b)(A) **For the initial year that persons occupy property for which an application for exemption is filed under ORS 307.545, income at or below 60 percent of the area median income as determined by the State Housing Council based on information from the United States Department of Housing and Urban Development; and**

(B) **For every subsequent consecutive year that the persons occupy the property, income at or below 80 percent of the area median income as determined by the State Housing Council based on information from the United States Department of Housing and Urban Development.**

**SECTION 2.** ORS 307.543 is amended to read:

307.543. (1) Except as provided in subsection (2) of this section, the exemption provided by ORS 307.541 only applies to the tax levy of a governing body that adopts the provisions of ORS 307.540 to 307.548. **At the time of adoption, the governing body shall elect a definition of "low income" under ORS 307.540.**

(2) The exemption provided by ORS 307.541 shall apply to the tax levy of all taxing districts in which property certified for exemption is located when, upon request of a governing body that has adopted the provisions of ORS 307.540 to 307.548, the rates of taxation of such taxing districts whose governing boards agree to the policy of exemption under ORS 307.540 to 307.548, when combined with the rate of taxation of the governing body that adopts the provisions of ORS 307.540 to 307.548, equal 51 percent or more of the total combined rate of taxation on the property certified for limited assessment.

**SECTION 3. (1) A governing body that has adopted the provisions of ORS 307.540 to 307.548 before the effective date of this 2015 Act may, on or after the effective date of this**

2015 Act, elect a definition of "low income" under ORS 307.540 as amended by section 1 of this 2015 Act. An election made pursuant to this subsection applies to the first property tax year that begins on or after the date on which the election is made.

(2) If a governing body described in this section does not make an election under subsection (1) of this section, the definition of "low income" provided in ORS 307.540 as in effect immediately before the effective date of this 2015 Act shall apply to the exemption allowed by the governing body.

(3) This section is repealed on June 30, 2027.

**SECTION 4.** This 2015 Act takes effect on the 91st day after the date on which the 2015 regular session of the Seventy-eighth Legislative Assembly adjourns sine die.

Passed by House April 2, 2015

.....  
Timothy G. Sekerak, Chief Clerk of House

.....  
Tina Kotek, Speaker of House

Passed by Senate May 12, 2015

.....  
Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2015

Approved:

.....M,....., 2015

.....  
Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2015

.....  
Jeanne P. Atkins, Secretary of State