

House Bill 2025

Corrected Requester

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of former Representative Alan Brown for Road's End Sanitary District)

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 city or district from demanding landowner consent to eventual annexation in exchange for continuation of extraterritorial service originally provided to landowner without requiring consent to annexation.

A BILL FOR AN ACT

1
2 Relating to consent to annexation for extraterritorial service; creating new provisions; and amend-
3 ing ORS 198.869 and 222.115.

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

5 **SECTION 1.** ORS 198.869 is amended to read:

6 198.869. (1) **A district may require a landowner to consent to eventual annexation before**
7 **providing a new or additional extraterritorial service.**

8 (2) A contract between a district and a landowner [*relating to extraterritorial provision of service*
9 *and consent to eventual annexation of property of the landowner shall*] **containing a landowner's**
10 **consent to eventual annexation in return for extraterritorial services:**

11 (a) **Must** be recorded; and[,]

12 (b) When recorded, [*shall be binding on all successors with an*] **is binding on successors in**
13 **interest in that property.**

14 (3) **A district may not require a landowner to consent to eventual annexation in exchange**
15 **for continuation of an extraterritorial service that the district originally provided to the**
16 **landowner without requiring consent to eventual annexation, including a service that is**
17 **temporarily discontinued for a period of 30 days or less.**

18 **SECTION 2.** ORS 222.115 is amended to read:

19 222.115. (1) **A city may require a landowner to consent to eventual annexation before**
20 **providing a new or additional extraterritorial service.**

21 (2) A contract between a city and a landowner [*relating to extraterritorial provision of service*
22 *and consent to eventual annexation of property of the landowner shall*] **containing a landowner's**
23 **consent to eventual annexation in return for extraterritorial services:**

24 (a) **Must** be recorded; and[,]

25 (b) When recorded, [*shall be binding on all successors with an*] **is binding on successors in**
26 **interest in that property.**

27 (3) **A city may not require a landowner to consent to eventual annexation in exchange**
28 **for continuation of an extraterritorial service that the city originally provided to the land-**
29 **owner without requiring consent to eventual annexation, including a service that is tempo-**

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 rarely discontinued for a period of 30 days or less.

2 **SECTION 3.** (1) A consent to eventual annexation that was required by a district prior
3 to the effective date of this 2007 Act is void if the district attempted to require the consent
4 in exchange for continuation of an extraterritorial service that the district began providing
5 to the landowner without requiring consent to eventual annexation.

6 (2) A consent to eventual annexation that was required by a city prior to the effective
7 date of this 2007 Act is void if the city attempted to require the consent in exchange for
8 continuation of an extraterritorial service that the city began providing to the landowner
9 without requiring consent to eventual annexation.

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