

HOUSE AMENDMENTS TO A-ENGROSSED HOUSE BILL 3488

By COMMITTEE ON REVENUE

June 12

1 On page 1 of the printed A-engrossed bill, line 2, delete “315.354, 316.116, 469.185,” and insert
2 “307.175”.

3 In line 3, delete “469.205”.

4 Delete lines 5 through 22 and delete pages 2 through 9 and insert:

5 “**SECTION 1.** ORS 307.175 is amended to read:

6 “307.175. (1) Property equipped with solar, geothermal, wind, water, fuel cell or methane gas
7 energy systems for the purpose of heating, cooling or generating electrical energy shall be exempt
8 from ad valorem taxation in an amount that equals any positive amount obtained by subtracting the
9 real market value of the property as if it were not equipped with such systems, from the real market
10 value of the property so equipped.

11 “(2) This section applies to tax years beginning prior to July 1, 2012.

12 “(3) **Except as provided in subsection (4) of this section**, this section does not apply to
13 property owned or leased by any [*individual or legal entity*] **person** whose principal business activity
14 is directly or indirectly the production, transportation or distribution of energy, including but not
15 limited to public utilities as defined in ORS 757.005 and people’s utility districts as defined in ORS
16 261.010.

17 “(4) **This section applies to an alternative energy system that is owned or leased by a**
18 **person whose principal business activity is directly or indirectly the production, transporta-**
19 **tion or distribution of energy if the system is a net metering system or other system pri-**
20 **marily designed to offset onsite electricity use by the person.**

21 “**SECTION 2.** The amendments to ORS 307.175 by section 1 of this 2007 Act apply to tax
22 years beginning on or after July 1, 2007.

23 “**SECTION 3.** ORS 757.247 is amended to read:

24 “757.247. (1) The Public Utility Commission may authorize a public utility to file and place into
25 effect tariff schedules establishing rates or charges for **renewable energy generation facilities,**
26 **or for** energy conservation measures, services or payments, provided to individual property owners
27 or customers. Application of the schedule shall be subject to agreement between the public utility
28 and the property owner or customer receiving service at the time the **renewable energy gener-**
29 **ation facilities or** conservation measures, services or payments are initially provided.

30 “(2) [*The*] **A tariff schedule under this section** may include provisions for the payment of the
31 rates or charges over a period of time and for the application of the payment obligation to succes-
32 sive property owners or customers at the premises where the **renewable energy generation facil-**
33 **ities or** conservation measures or services were installed or performed or with respect to which the
34 [*conservation*] payments were made.

35 “(3) [*The*] **A public utility shall record a notice of [*the*] any payment obligation required of a**

1 **property owner or customer under this section** in the records maintained by the county clerk
2 under ORS 205.130. The commission may prescribe by rule [*under the applicable provisions of ORS*
3 *183.325 to 183.400*] other methods by which the public utility shall notify property owners or cus-
4 tomers of any such payment obligation.

5 “(4) **A public utility may use moneys obtained through a rate established under ORS**
6 **757.603 (2)(a) to provide renewable energy generation facilities to property owners or cus-**
7 **tomers under this section. A public utility may not charge interest to a property owner or**
8 **customer for facilities acquired with moneys obtained through a rate established under ORS**
9 **757.603 (2)(a).**

10 “**SECTION 4. This 2007 Act takes effect on the 91st day after the date on which the**
11 **regular session of the Seventy-fourth Legislative Assembly adjourns sine die.**”
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