

A-Engrossed
Senate Bill 43

Ordered by the Senate June 7
Including Senate Amendments dated June 7

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Commission on Educational Excellence)

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.

[Decreases earliest time for collection of delinquent property taxes from one year to three months.]
[Declares counties may enter into contracts with private law firms to collect delinquent property taxes. Prohibits private law firms acting as county tax collectors from recovering attorney fees that are in addition to penalty imposed by county.]

[Decreases earliest time for foreclosure of property tax liens from three years from date of delinquency to one year from date of delinquency.]

[Permits taxpayers to petition Director of Department of Revenue to delay foreclosure for up to one year for serious hardship. Defines "serious hardship." Requires taxpayers applying for delay of foreclosure for serious hardship to pay one-half of amount owing when application is filed.]

[Decreases redemption period for real property sold to county from two years to 180 days. Retains two-year redemption period if property sold to county is homestead or qualifies for farm use special assessment.]

[For purposes of calculation of State School Fund distribution to school districts and education service districts, excludes from local revenues specified increase in local revenue that is used for capital construction. Sunsets exclusion on July 1, 2010.]

[Applies to property taxes that are delinquent on or after effective date of Act.]

[Takes effect on 91st day following adjournment sine die.]

Authorizes tax collector to petition county court for authority to cancel uncollectible taxes on certain real property upon property's disqualification from special assessment.

A BILL FOR AN ACT

Relating to property taxes; amending ORS 311.790.

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

SECTION 1. ORS 311.790 is amended to read:

311.790. (1) If the tax collector and the district attorney for any county determine that taxes on personal property that are delinquent are for any reason wholly uncollectible, the tax collector and district attorney may request, in writing, the county court for an order directing that the taxes be canceled. The court, when so requested, may in its discretion order and direct the tax collector to cancel such uncollectible personal property taxes. The order shall be entered in the journal of the county court.

(2) If the tax collector determines that additional taxes on real property disqualified from special assessment under ORS 308A.703 are wholly uncollectible due to the property's exempt status, the tax collector may request, in writing, the county court for an order directing that the taxes be canceled. The court, when so requested, may in its discretion order and direct the tax collector to cancel the uncollectible property taxes. The order shall be entered in the journal of the county court.

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.