

Senate Bill 761

Sponsored by COMMITTEE ON RULES (at the request of Paul Evans)

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**.

Adds schools that provide either kindergarten through grade 12 education or community college education to definition of "capital improvement" for which system development charges may be imposed.

A BILL FOR AN ACT

1
2 Relating to system development charges; amending ORS 223.299.

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

4 **SECTION 1.** ORS 223.299 is amended to read:

5 223.299. As used in ORS 223.297 to 223.314:

6 (1)(a) "Capital improvement" means **public** facilities or assets used for the following:

7 (A) Water supply, treatment and distribution;

8 (B) Waste water collection, transmission, treatment and disposal;

9 (C) Drainage and flood control;

10 (D) Transportation; *[or]*

11 (E) Parks and recreation[.];

12 **(F) Schools providing an education for kindergarten through grade 12; or**

13 **(G) Schools providing a community college education.**

14 (b) "Capital improvement" does not include costs of the operation or routine maintenance of
15 capital improvements.

16 (2) "Improvement fee" means a fee for costs associated with capital improvements to be con-
17 structed.

18 **(3) "Local government" means all cities, counties and local service districts located in**
19 **this state.**

20 *[(3)]* **(4) "Reimbursement fee" means a fee for costs associated with capital improvements al-**
21 **ready constructed, or under construction when the fee is established, for which the local government**
22 **determines that capacity exists.**

23 *[(4)(a)]* **(5)(a) "System development charge" means a reimbursement fee, an improvement fee or**
24 **a combination thereof assessed or collected at the time of increased usage of a capital improvement**
25 **or issuance of a development permit, building permit or connection to the capital improvement.**
26 **"System development charge" includes that portion of a sewer or water system connection charge**
27 **that is greater than the amount necessary to reimburse the local government for its average cost**
28 **of inspecting and installing connections with water and sewer facilities.**

29 (b) "System development charge" does not include any fees assessed or collected as part of a
30 local improvement district or a charge in lieu of a local improvement district assessment, or the cost
31 of complying with requirements or conditions imposed upon a land use decision, expedited land di-

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 vision or limited land use decision.

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