

Senate Bill 862

Sponsored by Senator METSGER, Representative P SMITH

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**.

Establishes maximum assessed value at conclusion of 15-year period of historic property special assessment for residences where owner filed application for assessment prior to June 19, 1997. Permits owners of concluded historic property special assessment homes to file petitions with county assessors for reestablishment of maximum assessed value within 60 days of effective date of Act.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to assessment of historic property; and prescribing an effective date.

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

4 **SECTION 1. (1) Upon expiration of the original 15-year term of historic property special**
5 **assessment under ORS 358.487, the county assessor shall establish a maximum assessed**
6 **value for the property as provided in section 11, Article XI, Oregon Constitution, as follows:**

7 (a) **The maximum assessed value of the property shall be established by:**

8 (A) **Determining the assessed value of the property for the tax year beginning on July**
9 **1, 1997, by determining real market value for the tax year beginning July 1, 1995, reduced by**
10 **10 percent; and**

11 (B) **Increasing the property's maximum assessed value by no more than three percent**
12 **for each tax year beginning after July 1, 1997, through the final year of the 15-year period**
13 **of historic property special assessment.**

14 (b) **Notwithstanding paragraph (a) of this subsection, if during the 15-year period of his-**
15 **toric property special assessment, the property consists of new property or new improve-**
16 **ments as defined in ORS 308.149, the maximum assessed value shall be established by:**

17 (A) **Determining the assessed value of the property for the tax year beginning on July**
18 **1, 1997, by determining real market value for the tax year beginning July 1, 1995, reduced by**
19 **10 percent;**

20 (B) **Increasing the property's maximum assessed value by no more than three percent**
21 **for each tax year beginning after July 1, 1997, until the tax year in which the new property**
22 **or new improvement is added; and**

23 (C) **Beginning in the tax year that the new property or new improvement is added, max-**
24 **imum assessed value shall be established as provided in ORS 308.149 to 308.166.**

25 (c) **The maximum assessed value may not exceed the real market value of the property.**

26 (2) **The valuation of property under this section applies to residential property:**

27 (a) **Receiving special assessment under ORS 358.480 to 358.545; and**

28 (b) **For which the original application for historic special assessment was filed on or be-**
29 **fore June 19, 1997.**

30 **SECTION 2. (1) Notwithstanding the conclusion of the original 15-year period of historic**

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 property special assessment under ORS 358.487 prior to the effective date of this 2007 Act,
2 for tax years beginning on or after July 1, 1998, and before July 1, 2007, the owner of property
3 for which the original 15-year period of historic property special assessment is concluded
4 may file a written petition with the county assessor, on forms supplied by the assessor,
5 within 60 days after the effective date of this 2007 Act for reassessment of the property un-
6 der section 1 of this 2007 Act.

7 (2) An owner of historic property receiving special assessment for a second 15-year period
8 may file a petition with the assessor, on forms supplied by the assessor, to reassess the
9 property under subsection 1 of this section. Upon reassessment of the property, the county
10 assessor shall, for the 15 consecutive tax years after the date the reapplication for special
11 assessment was filed, list on the assessment and tax roll the specially assessed value for the
12 property established under section 1 of this 2007 Act.

13 (3) If taxes paid by the owner exceed the taxes owed after reassessment under section 1
14 of this 2007 act, the excess taxes paid shall be refunded in the manner prescribed in sub-
15 section (4) of this section. If, prior to the reassessment in section 1 of this 2007 Act, taxes
16 are owing but have not been paid, the taxes exceeding the taxes owing after reassessment
17 and any interest thereon shall be abated.

18 (4) The tax collector shall notify the governing body of the county of any refund required
19 under this section and the governing body shall cause a refund of the taxes and any interest
20 paid to be made from the unsegregated tax collections account described in ORS 311.385. The
21 refund under this subsection shall be made without interest. The county assessor and tax
22 collector shall make the necessary corrections in the records of their offices.

23 **SECTION 3.** This 2007 Act takes effect on the 91st day after the date on which the reg-
24 ular session of the Seventy-fourth Legislative Assembly adjourns sine die.
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