

**REVENUE IMPACT OF
PROPOSED LEGISLATION**
75th Oregon Legislative Assembly
2009 Regular Session
Legislative Revenue Office

Bill Number: SB 594 A
Revenue Area: Property Tax
Economist: Dae Baek
Date: May 19, 2009

Measure Description: Permits property tax exemption claim for cemetery and crematory property regardless of claimant's organizational structure or the state of organization. Permits such claim for an exemption for tax years beginning on or after July 1, 2008. Allows a late filing for such exemption claims and specifies a late filing procedure.

Eliminates the requirement for a non-profit entity to list, appraise, and describe personal property qualified for property tax exemption. Makes such elimination of filing requirement apply to tax years beginning on or after July 1, 2009.

Takes effect on the 91st day after adjournment sine die.

Revenue Impact (in \$Millions):

	Fiscal Year		Biennium		
	2009-10	2010-11	2009-11	2011-2013	2013-2015
State Funds	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Local Government (Clackamas County)	\$ Minimal*	\$ Minimal*	\$ Minimal*	\$ Minimal*	\$ Minimal*
Local School Districts (Clackamas County)	\$ Minimal*	\$ Minimal*	\$ Minimal*	\$ Minimal*	\$ Minimal*

*Minimal means revenue loss of less than \$50,000.

Impact Explanation: Historically cemetery and crematory properties have been exempt from property taxation (ORS 307.150). However, ORS 307.022 that passed in the 2005 legislative session was interpreted by Clackamas County to assess property tax on a cemetery in the county. According to Cemetery Association of Oregon, there has been no other case of property taxation of qualified cemetery properties regardless of organizational structures. The amount of FY 2008-09 property taxes in the Clackamas County case is \$18,453.40.

Creates, Extends, or Expands Tax Expenditure: Yes No

Qualified cemetery and crematory properties are exempt from property taxation. State of Oregon 2009-11 Tax Expenditure Report has the revenue loss from this exemption at \$5.2 million. This bill does not change that exemption statute but clarifies that property tax exemption claims for cemetery and crematory property are granted regardless of claimant's organizational structure or state of organization.