

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action: Do Pass as Amended and Be Printed Engrossed

Vote: 4 - 1 - 0

Yeas: Dingfelder, Kruse, Whitsett, Prozanski

Nays: Bonamici

Exc.: 0

Prepared By: Cheyenne Ross, Counsel

Meeting Dates: 3/7, 4/14, 4/19

WHAT THE MEASURE DOES: Provides owner of property acquired by condemnation agreement with right of repurchase to all or part of property if property not used for public purpose within ten years, if condemnation agreement fails to include provisions required by ORS 35.385(1)(a) or (b) which specify reasonable amount of time for condemner to use, or use within ten years, or waiver of right of repurchase. Applies prospectively. Exempts Oregon Department of Transportation projects. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Interference with existing local government negotiations that do not account for right of repurchase
- Effect on large-scale projects that take years or decades to implement
- Parties may agree to different time period or to waive

EFFECT OF COMMITTEE AMENDMENT: Removes retroactive application and exempts Oregon Department of Transportation projects.

BACKGROUND: Current law provides for right of repurchase on property acquired via condemnation. Senate Bill 619 A includes properties sold voluntarily, by agreement.