

# House Bill 2518

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of House Interim Committee on Revenue)

## 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**.

Permits local governments to impose real estate transfer tax or fee, provided tax or fee is structured progressively based on consideration paid for property, transfers in which buyer is first-time homebuyer are exempt, and marginal rate of tax or fee decreases as length of ownership by seller increases.

## A BILL FOR AN ACT

1  
2 Relating to real estate transfers; amending ORS 306.815.

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

4 **SECTION 1.** ORS 306.815 is amended to read:

5 306.815. (1) A city, county, district or other political subdivision or municipal corporation of this  
6 state [*shall*] **may** not impose, by ordinance or other law, a tax or fee upon the transfer of a fee es-  
7 tate in real property, or measured by the consideration paid or received upon transfer of a fee estate  
8 in real property, **unless:**

9 (a) **The tax or fee is structured progressively based on the amount of the consideration**  
10 **paid or received;**

11 (b) **Transfers in which the buyer is a first-time homebuyer are exempt from the tax or**  
12 **fee; and**

13 (c) **The marginal rate of the tax or fee decreases as the length of ownership by the seller**  
14 **increases.**

15 (2) A tax or fee upon the transfer of a fee estate in real property does not include any fee or  
16 charge that becomes due or payable at the time of transfer of a fee estate in real property, unless  
17 that fee or charge is imposed upon the right, privilege or act of transferring title to real property.

18 (3) Subsection (1) of this section does not apply to any fee established under ORS 203.148.

19 (4) Subsection (1) of this section does not apply to any tax if the ordinance or other law im-  
20 posing the tax is in effect and operative on March 31, 1997.

21 (5) Subsection (1) of this section does not apply to any tax or fee that is imposed upon the  
22 transfer of a fee estate in real property if the fee that is imposed under ORS 205.323, for the re-  
23 cording or filing of the instrument conveying the real property being transferred, is less than \$27.  
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**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.