

# House Bill 3278

Sponsored by Representative BENTZ

## 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**.

Requires that condemner seeking part of lot or parcel for purpose of electrical transmission line, or seeking easement for purpose of electrical transmission line, must offer owner of land, in lieu of lump sum payment, option of 30-year lease of condemned property with title to vest in condemner at end of lease period. Provides that lease must require payment to owner of annual amount equal to \$\_\_\_\_\_ per square foot of condemned property or easement.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to condemnation; and declaring an emergency.

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

4 **SECTION 1. Section 2 of this 2011 Act is added to and made a part of ORS chapter 35.**

5 **SECTION 2. (1) If a condemner seeks condemnation of part of a lot or parcel of land for**  
6 **the purpose of constructing an electrical transmission line, or condemnation of an easement**  
7 **across land for the purpose of constructing an electrical transmission line, the condemner**  
8 **must offer the owner of the land, in lieu of a lump sum payment, the option of a 30-year lease**  
9 **of the condemned property with the title of the property to vest in the condemner at the end**  
10 **of the lease period. The lease shall require that the condemner pay an annual amount equal**  
11 **to \$\_\_\_\_\_ per square foot of the condemned property or easement.**

12 **(2) The right to a payment under this section is not affected by a transfer of fee title to**  
13 **the part of the lot or parcel not condemned in the proceedings, or a transfer of fee title to**  
14 **the land on which the easement is located.**

15 **SECTION 3. Section 2 of this 2011 Act applies only to condemnation proceedings in which**  
16 **the initial written offer required by ORS 35.346 is given on or after the effective date of this**  
17 **2011 Act.**

18 **SECTION 4. This 2011 Act being necessary for the immediate preservation of the public**  
19 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**  
20 **on its passage.**

21  

---

  
**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.