

House Bill 3455

Sponsored by Representative GARRETT, Senator DEVLIN

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**.

Changes amount of school district local option taxes that are not considered local revenues for purposes of State School Fund distribution formula.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to local revenues for purpose of State School Fund distributions; creating new provisions;
3 amending ORS 327.011; and prescribing an effective date.

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

5 **SECTION 1.** ORS 327.011 is amended to read:

6 327.011. For the purpose of State School Fund distributions for school districts:

7 (1) Local Revenues are the total of the following:

8 (a) The amount of revenue offset against local property taxes as determined by the Department
9 of Revenue under ORS 311.175 (3)(a)(A).

10 (b) The amount of property taxes actually received by the district, including penalties and in-
11 terest on taxes.

12 (c) The amount of revenue received by the district from the Common School Fund under ORS
13 327.403 to 327.410.

14 (d) The amount of revenue received by the district from the county school fund.

15 (e) The amount of revenue received by the district from the 25 percent of federal forest reserve
16 revenues required to be distributed to schools by ORS 294.060 (1).

17 (f) The amount of revenue received by the district from state managed forestlands under ORS
18 530.115 (1)(b) and (c).

19 (g) Moneys received in lieu of property taxes.

20 (h) Federal funds received without specific application by the school district and that are not
21 deemed under federal law to be nonsupplantable.

22 (i) Any positive amount obtained by subtracting the operating property taxes actually imposed
23 by the district, based on the rate certified pursuant to ORS 310.060, from the amount that would
24 have been imposed by the district if the district had certified the maximum rate of operating prop-
25 erty taxes allowed by law.

26 (j) Any amount distributed to the district in the prior fiscal year under ORS 327.019 (8).

27 (2) Local Revenues do not include:

28 (a) If a school district imposes local option taxes pursuant to ORS 280.040 to 280.145, an amount
29 equal to the lesser of:

30 (A) The amount of revenue actually received by the district from local option taxes imposed
31 pursuant to ORS 280.040 to 280.145;

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 (B) [Twenty] **Twenty-five** percent of the total received by the school district from the general
2 purpose grant, the transportation grant, the facility grant and the high cost disabilities grant of the
3 district, as those grants are calculated under ORS 327.013; or

4 (C) [*\$1,000*] **\$1,250** per district extended ADMw, as calculated under ORS 327.013, increased each
5 fiscal year by three percent above the amount allowed per district extended ADMw for the prior
6 fiscal year.

7 (b) For a school district with a statutory rate limit on July 1, 2003, that is greater than \$4.50
8 per \$1,000 of assessed value, the amount of property taxes actually received by the district, includ-
9 ing penalties and interest on taxes, that results from an increase in the rate of ad valorem property
10 tax of the district allowed under section 11 (5)(d), Article XI of the Oregon Constitution.

11 **SECTION 2. The amendments to ORS 327.011 by section 1 of this 2011 Act apply to State**
12 **School Fund distributions commencing with the 2011-2012 distribution.**

13 **SECTION 3. This 2011 Act takes effect on the 91st day after the date on which the 2011**
14 **regular session of the Seventy-sixth Legislative Assembly adjourns sine die.**

15