

## FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 4090 - A

Seventy-Sixth Oregon Legislative Assembly – 2012 Regular Session  
Legislative Fiscal Office

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### Measure Description:

Authorizes owner of real property that is located within urban growth boundary and, due to certain impediments, not provided with sanitary sewer or water services to cause public or private provider of sanitary sewer and water services to connect service facilities and serve property if owner pays all costs to connect and deliver service.

### Government Unit(s) Affected:

Department of Land Conservation and Development , Special Districts, Cities, Counties

**Summary of Expenditure Impact:** See Analysis

### Local Government Mandate:

This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

### Analysis:

The measure authorizes the owner of real property located within the urban growth boundary to cause public or private provider of sanitary sewer and water services to connect service facilities and serve property if those services are not provided by the service provider for that area due to certain conditions.

Currently, cities or special districts determine the availability of service to properties within an urban growth boundary. In most cases property cannot be developed unless services are provided, typically by a city through annexation of the property.

The fiscal impact to cities is indeterminate. The number of instances that property owners may challenge for provider services and the ability of cities or special districts to provide those services is unknown. The League of Oregon Cities notes that while the measure allows cities to collect system development charges in areas they are compelled to serve that are outside city limits, these charges may only be used for capital improvements. System development charges may not be used for ongoing operations and maintenance. If current system development charges need to be modified by a city to fulfill requirements of the measure, capital improvement plans and master plans, or comparable plans, listing improvements eligible for system development charges must be prepared.

There is no fiscal impact to the Department of Land Conservation and Development as a result of this measure.

The Legislative Fiscal Office (LFO) has contacted county representatives for a fiscal impact statement but has not received a response. If a fiscal impact statement is provided from counties, LFO will issue a revised fiscal impact statement.