

**PROPOSED AMENDMENTS TO
HOUSE BILL 4177**

1 In line 2 of the printed bill, after the semicolon insert “creating new
2 provisions; amending ORS 294.178;”.

3 Delete lines 4 through 17 and insert:

4 **“SECTION 1. Notwithstanding ORS 294.178 (3) and (4), for the fiscal**
5 **years beginning July 1, 2011, and July 1, 2012, a county’s reduction in**
6 **expenditures compared with expenditures certified by the Department**
7 **of Revenue does not alter the percentage to be paid to the county un-**
8 **der ORS 294.178 (4) or the payments provided from the County As-**
9 **essment Function Funding Assistance Account under ORS 294.178 (3)**
10 **if:**

11 **“(1) For the fiscal year beginning July 1, 2007, the county received**
12 **federal payments pursuant to the Secure Rural Schools and Commu-**
13 **nity Self-Determination Act of 2000 (P.L. 106-393) in an amount equal**
14 **to at least 10 percent of the county’s property tax revenues, excluding**
15 **bonds;**

16 **“(2) The reduction in county expenditures does not exceed 15 per-**
17 **cent of the expenditures certified by the department; and**

18 **“(3) The reduction in county expenditures does not result in a fail-**
19 **ure by the county to adequately provide the resources needed to**
20 **achieve proper compliance with ORS 308.232 and 308.234, ORS chapter**
21 **309, other laws requiring equality and uniformity in the system of**
22 **property taxation and applicable rules of the department.**

1 **“SECTION 2.** ORS 294.178 is amended to read:

2 “294.178. (1) Before issuing any certificate under ORS 294.175, the De-
3 partment of Revenue shall estimate the amount available in the County As-
4 sessment Function Funding Assistance Account created under ORS 294.184
5 for distribution as grants to counties for the ensuing fiscal year.

6 “(2) The estimate shall be used to determine the estimated percent of the
7 moneys available in the County Assessment Function Funding Assistance
8 Account that each county will receive as grants and the total estimated
9 grant that each county will receive for the ensuing fiscal year. The estimates
10 so determined shall serve as the estimates required to be included in any
11 certification issued under ORS 294.175 for that county.

12 “(3) On or before the 28th day of the month following the close of each
13 fiscal quarter, the department shall pay a percentage of the moneys in the
14 County Assessment Function Funding Assistance Account to each county to
15 which a certificate has been issued under ORS 294.175.

16 “(4) Except as provided under subsection (5) of this section **and para-**
17 **graphs (c) to (e) of this subsection**, the percentage to be paid to each
18 county under subsection (3) of this section shall be the percentage that the
19 expenditures of the county certified by the department to the county gov-
20 erning body under ORS 294.175 bears to the total of all expenditures of all
21 counties certified by the department to counties under ORS 294.175. In de-
22 termining the expenditures of a county or in determining the total of all
23 expenditures for purposes of this subsection:

24 “(a) No expenditures shall be included that have not been certified under
25 ORS 294.175.

26 “(b) No expenditures of any county that did not file an estimate of ex-
27 penditures under ORS 294.175 shall be included.

28 “(c) [No] Expenditures of any county for which certification has been
29 denied shall be included, **but the amount that would have been paid to**
30 **that county under this subsection based upon those expenditures shall**

1 **be transferred to the Assessment and Taxation County Account de-**
2 **scribed in ORS 306.125.**

3 “(d) [No] Expenditures of any county that does not make its appropriation
4 under ORS 294.456 based upon 100 percent of the expenditures certified shall
5 be included, **but the amount that would have been paid to that county**
6 **under this subsection based upon those expenditures shall be trans-**
7 **ferred to the Assessment and Taxation County Account described in**
8 **ORS 306.125.**

9 “(e) [No] Expenditures of any county that does not certify compliance
10 under ORS 294.181 shall be included, **but the amount that would have**
11 **been paid to that county under this subsection based upon those ex-**
12 **penditures shall be transferred to the Assessment and Taxation**
13 **County Account described in ORS 306.125.**

14 “(5) If the expenditures of a county are not included for a fiscal quarter
15 on account of subsection (4) of this section, a grant may not be made to that
16 county under subsection (3) of this section for that fiscal quarter. If grant
17 funds are denied to any county under this subsection for any fiscal quarter,
18 the percentage determined under subsection (4) of this section shall be
19 redetermined[, *excluding from the computation for that fiscal quarter the cer-*
20 *tified expenditures of the county for which grant funds are denied to the end*
21 *that all of the funds available in the County Assessment Function Funding*
22 *Assistance Account at the time of calculating the quarterly distribution may*
23 *be distributed] **based upon the method of calculation in subsection (4)**
24 **of this section.”.***

25 In line 18, delete “2” and insert “3”.

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