

D R A F T

SUMMARY

Eliminates requirement that statements regarding measures authorizing bonds or certain taxes be printed on envelopes in which ballot titles are delivered. Eliminates requirement that ballot title for measure authorizing local option tax contain certain additional statement.

Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to taxation-related elections; creating new provisions; amending ORS 250.037, 250.038 and 280.070; and declaring an emergency.

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

SECTION 1. ORS 250.037 is amended to read:

250.037. (1) The ballot title of any measure requesting elector approval of bonds, the principal and interest on which will be payable from taxes imposed on property or property ownership that are not subject to the limitations of **Article XI**, sections 11 and 11b, [*Article XI*] of the Oregon Constitution, shall contain, in addition to the matters required by ORS 250.035, the following statement immediately after the ballot title question and appearing with it, in this manner:

Question: (herein the question is stated) If the bonds are approved, they will be payable from taxes on property or property ownership that are not subject to the limits of **Article XI**, sections 11 and 11b, [*Article XI*] of the Oregon Constitution.

(2) The words of the statement required by subsection (1) of this section

1 are not counted for purposes of ORS 250.035.

2 (3) The ballot title statement for any measure requesting elector approval
3 of bonds, the principal and interest on which is to be payable from taxes
4 imposed on property or property ownership that are not subject to the limi-
5 tations of **Article XI**, sections 11 and 11b, [*Article XI*] of the Oregon Con-
6 stitution, shall contain, in addition to the other requirements of ORS 250.035
7 and this section, a reasonably detailed, simple and understandable de-
8 scription of the use of proceeds.

9 [(4) *The front of the outer envelope in which the ballot title is delivered*
10 *shall state, clearly and boldly printed in red, "CONTAINS VOTE ON PRO-*
11 *POSED TAX INCREASE."*]

12 **SECTION 2.** ORS 250.038 is amended to read:

13 250.038. [(1)] In addition to meeting other applicable requirements of this
14 chapter:

15 [(a)] (1) The ballot title for a measure authorizing the imposition of local
16 option taxes shall contain the [*statement required by ORS 280.070 (4) and*
17 *the*] information required by ORS 280.070 [(5)] (4); **and**

18 [(b)] (2) The ballot title for a measure authorizing the establishment of
19 a permanent rate limitation shall contain the information required by ORS
20 280.070 [(6)] (5).[; and]

21 [(c) *Except as provided in subsection (2) of this section, the front of the*
22 *outer envelope in which the ballot title is delivered shall state, clearly and*
23 *boldly printed in red, one of the following statements:]*

24 [(A) *For a measure authorizing the imposition of local option taxes,*
25 *"CONTAINS VOTE ON PROPOSED TAX INCREASE"; or]*

26 [(B) *For a measure authorizing a renewal of current local option taxes,*
27 *"CONTAINS VOTE ON RENEWAL OF CURRENT LOCAL OPTION*
28 *TAXES."*]

29 [(2) *If a ballot contains a measure authorizing the imposition of local option*
30 *taxes and a measure authorizing the renewal of a current local option tax, the*
31 *front of the outer envelope in which the ballot is delivered shall state, clearly*

1 *and boldly printed in red, "CONTAINS VOTE ON PROPOSED TAX IN-*
2 *CREASE."]*

3 **SECTION 3.** ORS 280.070 is amended to read:

4 280.070. (1) An election within a county for the purpose of approving a
5 tax levy or tax rate under ORS 280.060 shall be called by the county court
6 or board of county commissioners and shall be held on a date specified in
7 ORS 203.085.

8 (2) An election within a city for the purpose of approving a tax levy or
9 tax rate under ORS 280.060 or under **Article XI**, section 11 (3)(c), [*Article*
10 *XI*] of the Oregon Constitution, shall be called by the governing body of the
11 city and held on a date specified in ORS 221.230.

12 (3) An election within a political subdivision other than a county or city
13 for the purpose of approving a tax levy or tax rate under ORS 280.060 or
14 under **Article IX**, section 11 (3)(c), [*Article XI*] of the Oregon Constitution,
15 shall be called by the governing body of the subdivision and held on a date
16 specified in ORS 255.345.

17 [(4)(a) *Except as provided in paragraph (b) of this subsection, the ballot*
18 *title for a measure authorizing the imposition of local option taxes shall con-*
19 *tain the following additional statement:]*

20 [_____]

21 *This measure may cause property taxes to increase more than three percent.*

22 [_____]

23 [(b) *The ballot title for a measure authorizing the renewal of current local*
24 *option taxes shall contain the following additional statement:]*

25 [_____]

26 *This measure renews current local option taxes.*

27 [_____]

28 [(c) *The statement required by this subsection shall be placed after the*
29 *question on the ballot title and may not be considered for purposes of the word*
30 *count limitations under ORS 250.035.]*

31 [(5)] (4) As part of the question, the ballot title for a measure authorizing

1 or renewing the authorization of the imposition of local option taxes shall
2 state:

3 (a) The length in years of the period during which the proposed local
4 option tax will be imposed.

5 (b) The first fiscal year in which the proposed local option tax will be
6 imposed.

7 [(6)] (5) As part of the question, the ballot title for a measure authorizing
8 the establishment of a permanent rate limitation shall contain the following
9 information:

10 (a) The tax rate per \$1,000 of assessed value of the proposed permanent
11 rate limitation.

12 (b) The first fiscal year in which the proposed permanent rate limitation
13 will be imposed.

14 [(7)] (6) The ballot title for a measure authorizing the imposition of local
15 option taxes or a permanent rate limitation shall be in compliance with ORS
16 250.036.

17 **SECTION 4. The amendments to ORS 250.037, 250.038 and 280.070 by**
18 **sections 1 to 3 of this 2013 Act apply to elections held on or after the**
19 **effective date of this 2013 Act.**

20 **SECTION 5. This 2013 Act being necessary for the immediate pres-**
21 **ervation of the public peace, health and safety, an emergency is de-**
22 **clared to exist, and this 2013 Act takes effect on its passage.**

23