

# House Bill 3113

Sponsored by COMMITTEE ON REVENUE

## 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**.

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

1  
2 Relating to taxation-related elections; creating new provisions; amending ORS 250.037, 250.038 and  
3 280.070; and declaring an emergency.

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

5 **SECTION 1.** ORS 250.037 is amended to read:

6 250.037. (1) The ballot title of any measure requesting elector approval of bonds, the principal  
7 and interest on which will be payable from taxes imposed on property or property ownership that  
8 are not subject to the limitations of **Article XI**, sections 11 and 11b, [*Article XI*] of the Oregon  
9 Constitution, shall contain, in addition to the matters required by ORS 250.035, the following state-  
10 ment immediately after the ballot title question and appearing with it, in this manner:

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12  
13 Question: (herein the question is stated) If the bonds are approved, they will be payable from  
14 taxes on property or property ownership that are not subject to the limits of **Article XI**, sections  
15 11 and 11b, [*Article XI*] of the Oregon Constitution.  
16

17  
18 (2) The words of the statement required by subsection (1) of this section are not counted for  
19 purposes of ORS 250.035.

20 (3) The ballot title statement for any measure requesting elector approval of bonds, the principal  
21 and interest on which is to be payable from taxes imposed on property or property ownership that  
22 are not subject to the limitations of **Article XI**, sections 11 and 11b, [*Article XI*] of the Oregon  
23 Constitution, shall contain, in addition to the other requirements of ORS 250.035 and this section,  
24 a reasonably detailed, simple and understandable description of the use of proceeds.

25 [(4) *The front of the outer envelope in which the ballot title is delivered shall state, clearly and*  
26 *boldly printed in red, "CONTAINS VOTE ON PROPOSED TAX INCREASE."*]

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

28 250.038. [(1)] In addition to meeting other applicable requirements of this chapter:

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

**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 [(5)] (4); and

2 [(b)] (2) The ballot title for a measure authorizing the establishment of a permanent rate limi-  
3 tation shall contain the information required by ORS 280.070 [(6)] (5).; and]

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

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

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

10 [(2) If a ballot contains a measure authorizing the imposition of local option taxes and a measure  
11 authorizing the renewal of a current local option tax, the front of the outer envelope in which the ballot  
12 is delivered shall state, clearly and boldly printed in red, "CONTAINS VOTE ON PROPOSED TAX  
13 INCREASE."]

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

15 280.070. (1) An election within a county for the purpose of approving a tax levy or tax rate un-  
16 der ORS 280.060 shall be called by the county court or board of county commissioners and shall be  
17 held on a date specified in ORS 203.085.

18 (2) An election within a city for the purpose of approving a tax levy or tax rate under ORS  
19 280.060 or under **Article XI**, section 11 (3)(c), [*Article XI*] of the Oregon Constitution, shall be called  
20 by the governing body of the city and held on a date specified in ORS 221.230.

21 (3) An election within a political subdivision other than a county or city for the purpose of ap-  
22 proving a tax levy or tax rate under ORS 280.060 or under **Article IX**, section 11 (3)(c), [*Article*  
23 *XI*] of the Oregon Constitution, shall be called by the governing body of the subdivision and held  
24 on a date specified in ORS 255.345.

25 [(4)(a) Except as provided in paragraph (b) of this subsection, the ballot title for a measure au-  
26 thorizing the imposition of local option taxes shall contain the following additional statement:]

27 [ \_\_\_\_\_ ]

28  
29 *This measure may cause property taxes to increase more than three percent.*

30 [ \_\_\_\_\_ ]

31  
32 [(b) The ballot title for a measure authorizing the renewal of current local option taxes shall con-  
33 tain the following additional statement:]

34 [ \_\_\_\_\_ ]

35  
36 *This measure renews current local option taxes.*

37 [ \_\_\_\_\_ ]

38  
39 [(c) The statement required by this subsection shall be placed after the question on the ballot title  
40 and may not be considered for purposes of the word count limitations under ORS 250.035.]

41 [(5)] (4) As part of the question, the ballot title for a measure authorizing or renewing the au-  
42 thorization of the imposition of local option taxes shall state:

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

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

45 [(6)] (5) As part of the question, the ballot title for a measure authorizing the establishment of

1 a permanent rate limitation shall contain the following information:

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

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

4 [(7)] (6) The ballot title for a measure authorizing the imposition of local option taxes or a  
5 permanent rate limitation shall be in compliance with ORS 250.036.

6 **SECTION 4. The amendments to ORS 250.037, 250.038 and 280.070 by sections 1 to 3 of this**  
7 **2013 Act apply to elections held on or after the effective date of this 2013 Act.**

8 **SECTION 5. This 2013 Act being necessary for the immediate preservation of the public**  
9 **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**  
10 **on its passage.**

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