

**PROPOSED AMENDMENTS TO
HOUSE BILL 2206**

1 On page 1 of the printed bill, line 2, delete “246.200” and insert
2 “306.125”.

3 Delete lines 5 through 17 and insert:

4 **“SECTION 1. Section 2 of this 2013 Act is added to and made a part**
5 **of ORS chapters 246 to 260.**

6 **“SECTION 2. (1) Notwithstanding ORS 246.200, if the governing body**
7 **of a county, after consultation with the county clerk or county direc-**
8 **tor of elections, believes that the county is in a state of fiscal distress**
9 **that compromises the county’s ability to conduct elections at a mini-**
10 **mally adequate level, the governing body may request that the Gov-**
11 **ernor declare a county elections emergency.**

12 **“(2) Upon request pursuant to subsection (1) of this section, the**
13 **Governor shall consult with the Secretary of State to determine**
14 **whether to declare a county elections emergency.**

15 **“(3) Within 14 days after consultation with the secretary pursuant**
16 **to subsection (2) of this section, the Governor shall:**

17 **“(a) Declare the existence of a county elections emergency in the**
18 **county; or**

19 **“(b) Issue a determination that the county’s fiscal situation does**
20 **not cause the county to conduct elections at a less than minimally**
21 **adequate level.**

22 **“(4) As soon as practicable after declaration of an emergency pur-**

1 suant to subsection (3)(a) of this section and after consultation with
2 the county clerk or county director of elections, the secretary shall
3 provide services in the county to the extent necessary to ensure a
4 minimally adequate level of election services to the electors in the
5 county and all municipal corporations in the county.

6 “(5) If the secretary must perform services in a county pursuant to
7 subsection (4) of this section, the secretary shall seek reimbursement
8 from the Emergency Board for such additional funds and spending
9 authority as the secretary considers necessary.

10 “(6) At any time after declaration of an emergency pursuant to
11 subsection (3)(a) of this section, the governing body of the county or
12 the secretary may request that the Governor, after consultation with
13 the secretary, issue a determination pursuant to subsection (3)(b) of
14 this section.

15 “(7)(a) The county shall resume conducting elections for the elec-
16 tors of the county and all municipal corporations in the county on the
17 earlier of:

18 “(A) The date on which a determination is issued pursuant to sub-
19 section (6) of this section; or

20 “(B) Two years after the date on which an emergency is declared
21 in the county pursuant to subsection (3)(a) of this section.

22 “(b) The governing body of the county may request a declaration
23 under subsection (1) of this section at any time before or after the
24 elapse of the two-year period described in paragraph (a)(B) of this
25 subsection in order to ensure continuity of election services in the
26 county.”.

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

28 On page 2, line 21, delete “3” and insert “4”.

29 Delete lines 41 through 45.

30 On page 3, delete lines 1 through 12 and insert:

1 “(5)(a) When an emergency is declared in a county pursuant to subsection
2 (3)(a) of this section, the department shall immediately:

3 “(A) Discontinue grants to the county from the County Assessment
4 Function Funding Assistance Account created under ORS 294.184; and

5 “(B) Notify the State Treasurer to discontinue all distributions to the
6 county of state-shared funds that are not otherwise dedicated by law.

7 “(b) Within 30 days following the close of each fiscal quarter, the de-
8 partment shall submit to the governing body of the county and the Secretary
9 of State an itemized statement of the department’s actual costs incurred in
10 providing services in the county and the amount of the grants that the
11 county would have received, but for this subsection, from the County As-
12 sessment Function Funding Assistance Account for the period covered by the
13 statement.

14 “(c) The department shall be reimbursed for the costs in the statement
15 submitted under paragraph (b) of this subsection as follows:

16 “(A) The department shall transfer to the Assessment and Taxation
17 County Account described in ORS 306.125 the amount of grant funds that
18 would have been distributed to the county from the County Assessment
19 Function Funding Assistance Account for the period covered by the state-
20 ment; and

21 “(B) If the amount transferred under subparagraph (A) of this paragraph
22 is less than the department’s stated costs, the State Treasurer, upon the or-
23 der of the Secretary of State, shall transfer to the Assessment and Taxation
24 County Account all state-shared funds not otherwise dedicated by law that,
25 but for this subsection, would have been distributed to the county for the
26 period covered by the statement.

27 “(d) If the amounts received by the department under paragraph (c) of this
28 subsection are less than the department’s stated costs for the period covered
29 by the statement submitted under paragraph (b) of this subsection, the de-
30 partment shall seek reimbursement of the remaining costs, and such addi-

1 tional spending authority as the department considers necessary to carry out
2 its duties under this section, from the Emergency Board.

3 “(6) At any time after declaration of an emergency pursuant to subsection
4 (3)(a) of this section, the governing body of the county or the director may
5 request that the Governor, after consultation with the director, issue a de-
6 termination pursuant to subsection (3)(b) of this section.

7 “(7) The county shall resume providing property tax assessment services
8 and property tax collection services, as applicable, to all municipal corpo-
9 rations in the county on the earlier of:

10 “(a) The date on which a determination is issued pursuant to subsection
11 (6) of this section; or

12 “(b) Two years after the date on which an emergency is declared in the
13 county pursuant to subsection (3)(a) of this section.

14 **“SECTION 5.** ORS 306.125 is amended to read:

15 “306.125. (1) The Department of Revenue is authorized to institute pro-
16 grams for the appraisal of property in counties of the state and to make ap-
17 praisals for the use of county assessors and boards of property tax appeals
18 in assessing property and reviewing assessment rolls, and may install, and
19 assist in the preparation and maintenance of, maps, plats or standardized
20 record systems, as prescribed by the department, in the offices of assessors
21 and tax collectors.

22 “(2) The department and county courts are authorized to enter into
23 agreements for the sharing of the expenses of such appraisals and installa-
24 tions including salaries and expenses of department employees engaged
25 therein.

26 “(3) Counties entering into agreements pursuant to this section may pay
27 to the Department of Revenue from time to time:

28 “(a) Moneys to be disbursed by the department as part of the county’s
29 share in the expenses authorized under this section and agreed to under such
30 agreements; and

1 “(b) Moneys to reimburse the department where department disbursements
2 under such agreements, whether from the department’s appropriations from
3 the State General Fund or from moneys credited to the Assessment and
4 Taxation County Account, have exceeded its proportionate share of expenses
5 and a rebalancing of expense-sharing accounts is deemed desirable or neces-
6 sary.

7 “(4)(a) All moneys received by the Department of Revenue under sub-
8 section (3) of this section shall be immediately turned over to the State
9 Treasurer, who shall deposit the moneys in the General Fund to the credit
10 of an account to be known as the Assessment and Taxation County Account,
11 and such account hereby is continuously appropriated to the Department of
12 Revenue for the purposes of this section **and section 4 of this 2013 Act.**

13 “(b) The Department of Revenue may use the moneys to the credit of the
14 Assessment and Taxation County Account, or any part thereof, for expendi-
15 tures in connection with appraisals and installations contracted for, includ-
16 ing cash advances for travel and living expenses of employees, and including
17 payments to any county made to rebalance expense-sharing accounts, from
18 time to time, where a county’s disbursements under agreements entered into
19 pursuant to this section have exceeded its proportionate share of expenses
20 under such agreement. Any moneys received in reimbursement of these cash
21 advances shall be deposited in the Assessment and Taxation County Account.
22 Refunds of unexpended receipts may be made to the counties.”.

23 In line 13, delete “4” and insert “6”.

24 In line 42, delete “455.210 (4)(c)” and insert “455.210 (4)(b)”.

25 On page 4, after line 4, insert:

26 **“SECTION 7. No later than February 28, 2017, the Secretary of**
27 **State, the Director of Veterans’ Affairs, the Director of the Depart-**
28 **ment of Revenue and the Director of the Department of Consumer and**
29 **Business Services shall each submit a report in the manner provided**
30 **in ORS 192.245 to the Senate Committee on Rules and the House**

1 **Committee on Rules. Each report submitted pursuant to this section**
2 **shall describe the experience of the respective agency in implementing**
3 **the respective provisions of this 2013 Act and may include recommen-**
4 **dations for legislation.”.**

5 In line 5, delete “5” and insert “8”.

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