House Bill 4039

Introduced and printed pursuant to House Rule 12.00. Presession filed (at the request of House Interim Committee on Human Services and Housing)

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.**

Provides exemption from ad valorem property taxation for property of nonprofit corporation that, for tax year beginning on July 1, 2012, was actually offered, occupied or used as low-income housing and granted exemption by county. Provides that exemption continues until end of earliest tax year in which property is no longer offered, occupied or used as low-income housing, changes ownership or is leased in its entirety, other than by leases for occupancy of individual units as low-income housing. Applies to property tax years beginning on or after July 1, 2012.

Takes effect on 91st day following adjournment sine die.

1   **A BILL FOR AN ACT**

2 Relating to exemption from property taxation for low-income housing; and prescribing an effective

3   date.

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

5   **SECTION 1.** **(1) For purposes of ORS 307.130 (2)(a), real or personal property of a**

6 **nonprofit corporation is actually and exclusively occupied or used in the benevolent or**

7 **charitable work carried on by the nonprofit corporation, and is exempt from ad valorem**

8 **property taxation, if, for the tax year beginning on July 1, 2012, the property was actually:**

9   **(a) Offered, occupied or used as low-income housing; and**

10   **(b) Granted exemption under ORS 307.130 (2)(a) by the county in which the property is**

11 **located.**

12   **(2) The exemption provided under subsection (1) of this section continues until the end**

13 **of the earliest tax year in which the property described in subsection (1) of this section:**

14   **(a) Is no longer actually offered, occupied or used as low-income housing;**

15   **(b) Changes ownership; or**

16   **(c) Is leased in its entirety by the nonprofit corporation claiming the exemption, other**

17 **than by leases for occupancy of individual units as low-income housing.**

18   **SECTION 2.** **Section 1 of this 2014 Act applies to property tax years beginning on or after**

19 **July 1, 2012.**

20   **SECTION 3.** **(1)(a) To receive a refund under this section, an application must be filed**

21 **with the assessor of the county in which the property is located within 60 days after the ef-**

22 **fective date of this 2014 Act.**

23   **(b) An application filed under this section must:**

24   **(A) Contain information necessary to substantiate the claim for a refund.**

25   **(B) Be accompanied by a filing fee of $200.**

26   **(2) For property tax years beginning on or after July 1, 2012, and before July 1, 2014:**

27   **(a) If property taxes on property granted exemption under section 1 of this 2014 Act have**

28 **not been paid, the taxes and any interest on the taxes are abated.**

1   **(b) If property taxes on property granted exemption under section 1 of this 2014 Act have**

2 **been paid, the tax collector of the county in which the property is located shall notify the**

3 **governing body of the county of any refund required under section 1 of this 2014 Act.**

4   **(3)(a) Upon receipt of notice from the tax collector under subsection (2)(b) of this section,**

5 **the governing body shall cause a refund of any amount of property taxes and interest on the**

6 **property taxes that has been paid to be made from the refund reserve account, if the county**

7 **has established a refund reserve account under ORS 311.807, or, if not, from the unsegre-**

8 **gated tax collections account described in ORS 311.385.**

9   **(b) A refund under this subsection shall be made without interest.**

10   **(4) The Department of Revenue, the county assessor and the tax collector shall make the**

11 **necessary corrections in the records of their offices.**

12   <u>SECTION 4.</u> **This 2014 Act takes effect on the 91st day after the date on which the 2014**

13 **regular session of the Seventy-seventh Legislative Assembly adjourns sine die.**

14   ————————