



HEARING MONDAY

February 9, 2015

House Human Services & Housing

***Agricultural Workforce Housing Tax Exemption
Technical Correction / HB2610 (Gallegos)***

Problem: ORS 307. 480 – 505 creates a tax exemption process for certain non-profit farm labor housing and child care facilities. The statute requires certification by OR-OSHA and the Fire Marshal in order for housing to be eligible for the exemption. These requirements were intended to ensure basic safety levels for on-farm housing, but it no longer satisfies that purpose for newer community-based farmworker housing where OR-OSHA has no jurisdiction. The eligibility requirements of the statute need updating to ensure applicability to current housing models.

- The requirement of certification by OR-OSHA and the Fire Marshal made sense when the prevailing model for farm labor housing was in the form of camps that were located on farms, where the housing was specifically connected to recruitment or employment on that farmer's farm. OR-OSHA has jurisdiction over this sort of housing, and the Fire Marshal would not otherwise certify on-farm housing.
- In the past two decades, there has been a move towards development of community-based housing for farmworkers, within cities rather than on farms. This housing is not tied to any particular individual employer. OR-OSHA does not have jurisdiction over this form of housing, and cannot certify. Community-based housing providers therefore cannot meet the technical requirement of the current statute.
- Community-based housing must independently satisfy local, state, and federal building codes, which include fire marshal oversight. Compliance with these codes satisfies the same safety purpose originally intended by the OR-OSHA certification requirements of the current statute.
- The mismatch between the technical requirements of the current statute and the reality of community-based housing providers has put critically needed housing within our communities at risk of losing their tax exemptions.

Proposed solution: Where non-profit farm labor housing is community-based, and OR-OSHA does not have jurisdiction, specify that the requisite safety certification for eligibility for property tax exemption be compliance with local, state, and federal building codes.

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