

**Fiscal:** May have fiscal impact, but no statement yet issued

**Revenue:** May have revenue impact, but no statement yet issued

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**Action Date:**

**Action:**

**Meeting Dates:**

**Prepared By:** Kyle Easton, Economist

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**WHAT THE MEASURE DOES:**

Requires authorized agent providing closing and settlement services in conveyance of real property to tax-exempt government transferee to withhold and pay to county in which property is located, property taxes on the real property as of the date of the conveyance. Allows county to recover from authorized agent amount withheld with interest and penalty, if authorized agent fails to timely pay to county amount withheld related to conveyance. Defines terms. Takes effect on 91st day following adjournment sine die.

**ISSUES DISCUSSED:**

**EFFECT OF COMMITTEE AMENDMENT:**

-1 Replaces content of bill

Requires authorized agent providing closing and settlement services in conveyance of real property to tax-exempt government transferee to withhold and pay to county in which property is located, property taxes on the real property as of the date of the conveyance. Authorized agent is not required to withhold any amount if conveyer of property provides authorized agent a written declaration of intent to obtain certificate issued by county assessor attesting that all charges against the real property have been paid. Allows county clerk to not record fee title of real property if certificate issued by county assessor does not accompany instrument conveying or contracting to convey fee title.

Requires a person seeking to record an instrument of sale to exempt government transferee, to pay to tax collector amount of charges against real property or assessor's estimate of charges if exact amount is unknown. Any deficiency required to be paid constitutes a personal debt and is not a lien on the property and is required to be collected as delinquent personal property. Requires assessor to issue certificate prescribed by the Department of Revenue attesting that all charges against the real property have been paid as of date of recording. Defines terms. Takes effect on 91st day following adjournment sine die.

**BACKGROUND:**

If property is sold or transferred from a taxable owner to an exempt government agency, taxes that are unpaid at time of the transfer may be uncollectable. Delinquent taxes remain a lien on the property and accrue interest, however, as the government agency is exempt from taxation under ORS 307.040 and 307.090, the assessor and/or county tax collector are unable to foreclose, seize, and sell the property to collect the delinquent tax.