

Seventy-Eighth Oregon Legislative Assembly - 2015 Regular Session
STAFF MEASURE SUMMARY
House Committee On Rural Communities, Land Use, and Water

MEASURE: HB 2938
CARRIER: Rep. Clem

Fiscal: Has minimal fiscal impact

Revenue: No Revenue Impact

Action Date: 04/09/15

Action: Do Pass.

Meeting Dates: 03/10, 04/09

Vote:

Yeas: 7 - Clem, Gilliam, Gomberg, Helm, McLane, Post, Witt

Prepared By: Ian Davidson, Committee Administrator

WHAT THE MEASURE DOES:

Prohibits city from requiring consent to annexation of landowner's property in exchange for city providing county service as agent of county. Declares emergency, effective upon passage.

ISSUES DISCUSSED:

- Legislative Counsel opinion
- Prevalence of hostile annexations
- Distinction between city services and services provided as an agent of a county

EFFECT OF COMMITTEE AMENDMENT:

No amendment.

BACKGROUND:

Ambiguity in current law allows cities to require consent to eventual annexation of a landowner's property in exchange for extraterritorial services.

In an opinion dated January 9, 2006, Legislative Counsel determined that a requirement that property owners consent to eventual annexation of property to obtain approval of a building permit for that property is "beyond the scope of the building inspection program."

House Bill 2938 would put in statute a prohibition on cities requiring consent to annexation of a landowner's property in exchange for the city providing county services as an agent of the county.