

STAFF MEASURE SUMMARY

House Committee On Transportation and Economic Development

Fiscal: Has minimal fiscal impact

Revenue: Revenue impact issued

Action Date: 04/20/15

Action: Do Pass As Amended, Be Printed Engrossed, And Bill Be Referred To Revenue.

Meeting Dates: 04/13, 04/17, 04/20

Vote:

Yeas: 6 - Bentz, Davis, Hack, Lively, McKeown, McLain

Exc: 1 - Gorsek

Prepared By: Patrick Brennan, Committee Administrator

WHAT THE MEASURE DOES:

Authorizes local governments to create land bank authority. Details authority and duties of land bank authority and composition of land bank authority board. Requires member of land bank authority board to file statement of economic interest with Oregon Government Ethics Commission. Provides land bank authority powers and responsibilities. Defines terms. Exempts land bank authority from liability of remedial action costs or for damages of any spill or release of oil or hazardous material at facility acquired by authority under certain conditions. Permits governing body of city or county to grant property tax abatement against taxes imposed on brownfield if certain conditions are met, including, but not limited to, an environmental site assessment. Specifies amount of abatement allowed. Authorizes local government to modify abatement on reliable documentary evidence.

ISSUES DISCUSSED:

- Provides local control to bring brownfields back into productive use
- Benefits of transparency
- Other states where similar approach has been successful

EFFECT OF COMMITTEE AMENDMENT:

Revises definitions. Replaces term “governing body” with “local government”. Clarifies that the authority is to exist as a legal entity separate from the local government that created it. Adds “restoring” to purpose of authority. Revises language related to board of directors. Clarifies that a local government may incur debt, including issuance of bonds, on behalf of an authority it creates and clarifies that all assets owned by the authority, income earned by assets, and bonds issued by the authority and their income are exempt from taxation by State of Oregon. Provides method for dissolution of authority. Provides methodology by which a local government may grant an abatement against property taxes imposed on brownfields within its jurisdiction and specifies terms for abatement.

BACKGROUND:

As defined in ORS 285A.185, a “brownfield” is real property where expansion or redevelopment is complicated by actual or perceived environmental contamination. Brownfields must be cleaned up before they can be reused for jobs, housing, and other community needs.

House Bill 2734-B authorizes local governments to organize land banks, which could take ownership of brownfields with immunity from legal liability for legacy contaminations. During the period of ownership, the land bank authorities would be offered tax abatements for brownfield clean up and redevelopment. House Bill 2734-B outlines the authority and duties of land bank authorities and composition of land bank authority boards.