

A-Engrossed
House Bill 2938

Ordered by the Senate June 12
Including Senate Amendments dated June 12

Sponsored by Representative CLEM

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.

Prohibits city from requiring consent to annexation of landowner's property in exchange for city providing county service as agent of county.

Requires city to annex territory without vote upon receipt of petition for annexation submitted by all owners of land in territory provided territory is included within urban growth boundary and subject to acknowledged comprehensive plan of city. Provides that territory to be annexed includes additional territory necessary to provide infrastructure and services for development of annexed territory at density planned in acknowledged comprehensive plan. Provides city is not required to hold public hearing and may declare territory annexed by ordinance containing description of territory. Provides statute does not apply to territory located within Metro.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to annexation; creating new provisions; amending ORS 222.115; and declaring an emer-
3 gency.

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

5 **SECTION 1.** ORS 222.115 is amended to read:

6 222.115. (1) A contract between a city and a landowner containing the landowner's consent to
7 eventual annexation of the landowner's property in return for extraterritorial services:

8 [(1)] (a) Must be recorded; and

9 [(2)] (b) When recorded, is binding on successors in interest in that property.

10 **(2) A city may not require consent to annexation of a landowner's property in exchange**
11 **for the city providing a county service as an agent of the county.**

12 **SECTION 2.** Section 3 of this 2015 Act is added to and made a part of ORS 222.111 to
13 **222.180.**

14 **SECTION 3.** (1) Notwithstanding a contrary provision of the city charter, upon receipt
15 of a petition proposing annexation of territory that is submitted by all owners of land in the
16 territory, the legislative body of a city shall annex the territory without submitting the
17 proposal to the electors of the city if:

18 (a) The territory is included within an urban growth boundary adopted by the city;

19 (b) The territory is subject to the acknowledged comprehensive plan of the city; and

20 (c) The proposal conforms to all other requirements of the city's ordinances.

21 **(2) The territory to be annexed under this section includes any additional territory de-**
22 **scribed in ORS 222.111 (1) that must be annexed in order to provide infrastructure and ser-**
23 **vices necessary for development of the territory described in subsection (1) of this section**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 at the density planned in the acknowledged comprehensive plan of the city.

2 (3) The legislative body of the city is not required to hold the public hearing otherwise
3 required by ORS 222.120 for an annexation under this section. When the legislative body de-
4 termines that the criteria described in subsection (1) of this section apply to territory pro-
5 posed for annexation, the legislative body may declare that the territory described in
6 subsections (1) and (2) of this section is annexed to the city by an ordinance that contains
7 a description of the territory annexed.

8 (4) This section does not apply to territory located within Metro.

9 **SECTION 4.** This 2015 Act being necessary for the immediate preservation of the public
10 peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect
11 on its passage.

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