

**PROPOSED AMENDMENTS TO
A-ENGROSSED HOUSE BILL 3524
(INCLUDING AMENDMENTS TO RESOLVE CONFLICTS)**

1 On page 1 of the printed A-engrossed bill, delete lines 5 through 28.

2 On page 2, delete lines 1 through 32 and insert:

3 **“SECTION 1.** ORS 270.100 is amended to read:

4 “270.100. (1)(a) Before offering for sale any real property or equitable in-
5 terest therein owned by the state, the state agency acting for the state in
6 such transaction shall report its intent of sale or transfer to the Oregon
7 Department of Administrative Services. The department, or the agency spe-
8 cifically designated by the department, shall notify other state agencies au-
9 thorized to own real property of the intended sale or transfer to determine
10 whether acquisition of the real property or interest therein would be advan-
11 tageous to another state agency.

12 “(b)(A) The department shall give [*political subdivisions, as defined in*
13 *ORS 271.005,*] the first opportunity after other state agencies to acquire,
14 purchase, exchange or lease real property to be sold or disposed of by the
15 State of Oregon[.] **to:**

16 **“(i) The following entities, on the condition that the entities will**
17 **develop housing on the real property that will be occupied by families**
18 **and individuals with an income no greater than 80 percent of the me-**
19 **dian family income for the county in which the real property is lo-**
20 **cated:**

21 **“(I) Nonprofit organizations; and**

1 “(II) Indian tribes, as defined in ORS 97.740; and

2 “(ii) Political subdivisions, as defined in ORS 271.005.

3 “(B) The state agency responsible for selling or transferring the property
4 may require at the time of the sale or transfer that any state real property
5 sold or transferred to a political subdivision[, *as defined in ORS 271.005,*]
6 shall be for use for a public purpose or benefit, and not be for resale to a
7 private purchaser.

8 “(c) If property is not disposed of under paragraph (a) or (b) of this sub-
9 section, in accordance with rules adopted by the department, the state
10 agency desiring to sell or transfer the property shall cause it to be appraised
11 by one or more competent and experienced appraisers. Except as provided in
12 ORS 273.825, if such property has an appraised value exceeding \$5,000 it shall
13 not be sold to any private person except after notice calling for such pro-
14 posals as set forth in ORS 270.130.

15 “(d) The department shall adopt rules to carry out the provisions of this
16 section.

17 “(2) Before acquisition of any real property or interest therein by any
18 state agency, except for highway right of way acquired by the Department
19 of Transportation and park properties acquired by the State Parks and Re-
20 creation Department and property within the approved projected campus
21 boundaries for public universities of the Oregon University System or public
22 universities with governing boards listed in ORS 352.054, the state agency
23 shall report its intent of acquisition to the Oregon Department of Adminis-
24 trative Services. The department shall notify other state agencies owning
25 land of the intended acquisition to determine whether another state agency
26 desires to sell or transfer property [*which*] **that** would meet the needs of the
27 purchasing agency. In accordance with rules adopted by the Oregon Depart-
28 ment of Administrative Services, if no other state agency desires to sell or
29 transfer property [*which*] **that** would meet the needs of the agency, the
30 agency may acquire the real property or interest therein, consistent with

1 applicable provisions of law.

2 “(3) Before any terminal disposition of real property or an interest in real
3 property, the state agency acting for the state in the transaction must secure
4 approval of the transaction from the Oregon Department of Administrative
5 Services.

6 “(4) Subsection (3) of this section does not apply to terminal disposition
7 of the following real property:

8 “(a) Property controlled by the State Department of Fish and Wildlife;

9 “(b) State forestlands controlled by the State Forestry Department;

10 “(c) Property controlled by the Department of Transportation;

11 “(d) Property controlled by the Department of State Lands;

12 “(e) Property controlled by the Oregon University System or controlled
13 by public universities with governing boards listed in ORS 352.054;

14 “(f) Property controlled by the legislative or judicial branches of state
15 government; and

16 “(g) Property controlled by the State Parks and Recreation Department.

17 “(5) Notwithstanding the provisions of subsection (4) of this section, prior
18 approval by the Oregon Department of Administrative Services is required
19 for the terminal disposition of public land for less than the fair market value
20 of that land.

21 “(6) The provisions of ORS 184.634, 270.005 to 270.015, 270.100 to 270.190,
22 273.416, 273.426 to 273.436, 273.551 and 308A.709 (1) to (4) do not apply to:

23 “(a) A home or farm acquired or sold by the Department of Veterans’
24 Affairs under ORS 88.720, 406.050, 407.135, 407.145, 407.375 and 407.377.

25 “(b) Real property acquired or sold by the Housing and Community Ser-
26 vices Department under the provisions of ORS 456.515 to 456.725 or ORS
27 chapter 458.

28 **“SECTION 1a. If Senate Bill 224 becomes law, section 1 of this 2015**
29 **Act (amending ORS 270.100) is repealed and ORS 270.100, as amended**
30 **by section 1, chapter ___, Oregon Laws 2015 (Enrolled Senate Bill 224),**

1 **is amended to read:**

2 “270.100. (1)(a) Before offering for sale any real property or equitable in-
3 terest in real property that the state owns, the state agency acting for the
4 state in the sales transaction shall report to the Oregon Department of Ad-
5 ministrative Services that the state agency intends to sell or transfer the
6 real property or the equitable interest. The department, or an agency the
7 department specifically designates, shall notify other state agencies author-
8 ized to own real property of the intended sale or transfer to determine
9 whether acquiring the real property or interest in the real property would
10 be advantageous to another state agency.

11 “(b)(A) The department shall give [*political subdivisions, as defined in*
12 *ORS 271.005,*] the first opportunity after other state agencies to acquire,
13 purchase, exchange or lease real property or an interest in real property that
14 the State of Oregon disposes of or sells **to:**

15 “(i) **The following entities, on the condition that the entities will**
16 **develop housing on the real property that will be occupied by families**
17 **and individuals with an income no greater than 80 percent of the me-**
18 **dian family income for the county in which the real property is lo-**
19 **cated:**

20 “(I) **Nonprofit organizations; and**

21 “(II) **Indian tribes, as defined in ORS 97.740; and**

22 “(ii) **Political subdivisions, as defined in ORS 271.005.**

23 “(B) The state agency responsible for selling or transferring the property
24 or the equitable interest may require at the time of the sale or transfer that
25 a political subdivision must use state real property or an equitable interest
26 in real property sold or transferred to the political subdivision for a public
27 purpose or benefit, and that the political subdivision may not resell the real
28 property or the equitable interest to a private purchaser.

29 “(c) If a state agency that intends to sell or transfer real property or an
30 equitable interest in real property has not disposed of the real property or

1 the equitable interest under paragraph (a) or (b) of this subsection, the state
2 agency shall cause the real property to be appraised by one or more compe-
3 tent and experienced appraisers in accordance with rules the department
4 adopts. Except as provided in ORS 273.825, if the property has an appraised
5 value exceeding \$5,000, the property or an equitable interest in the property
6 may not be sold to any private person except after notice calling for such
7 proposals as set forth in ORS 270.130.

8 “(d) The department shall adopt rules to carry out the provisions of this
9 section.

10 “(2) Before a state agency acquires any real property or interest in real
11 property, except for highway right of way that the Department of Transpor-
12 tation acquires, park properties that the State Parks and Recreation De-
13 partment acquires and property within the approved projected campus
14 boundaries for public universities of the Oregon University System or public
15 universities with governing boards listed in ORS 352.054, the state agency
16 shall report to the Oregon Department of Administrative Services that the
17 state agency intends to acquire the real property or the interest in real
18 property. The department shall notify other state agencies that own land that
19 the state agency intends to acquire real property or an interest in real
20 property to determine whether another state agency desires to sell or trans-
21 fer property that would meet the needs of the acquiring agency. In accord-
22 ance with rules the Oregon Department of Administrative Services adopts,
23 if no other state agency desires to sell or transfer property that would meet
24 the needs of the agency that intends to acquire real property or an interest
25 in real property, the agency may acquire the real property or interest in real
26 property, consistent with applicable provisions of law.

27 “(3) Before any terminal disposition of real property or an interest in real
28 property, the state agency acting for the state in the transaction must secure
29 approval of the transaction from the Oregon Department of Administrative
30 Services.

1 “(4) Subsection (3) of this section does not apply to terminal disposition
2 of the following real property:

3 “(a) Property that the State Department of Fish and Wildlife controls;

4 “(b) State forestlands that the State Forestry Department controls;

5 “(c) Property that the Department of Transportation controls;

6 “(d) Property that the Department of State Lands controls;

7 “(e) Property that the Oregon University System controls or that public
8 universities with governing boards listed in ORS 352.054 control;

9 “(f) Property that the legislative branch of state government controls;

10 “(g) Property that the judicial branch of state government controls; and

11 “(h) Property that the State Parks and Recreation Department controls.

12 “(5) Notwithstanding the provisions of subsection (4) of this section, prior
13 approval by the Oregon Department of Administrative Services is required
14 for the terminal disposition of public land for less than the fair market value
15 of the public land.

16 “(6) The provisions of ORS 184.634, 270.005 to 270.015, 270.100 to 270.190,
17 273.416, 273.426 to 273.436, 273.551 and 308A.709 (1) to (4) do not apply to:

18 “(a) A home or farm that the Department of Veterans’ Affairs acquires
19 or sells under ORS 88.720, 406.050, 407.135, 407.145, 407.375 or 407.377.

20 “(b) Real property that the Housing and Community Services Department
21 acquires or sells under the provisions of ORS 456.515 to 456.725 or ORS
22 chapter 458.

23 “(c) Real property that the Oregon Health Authority or the Department
24 of Human Services acquires or sells under ORS 410.075 or 416.340.”.

25 On page 3, line 19, after “Transportation” insert “or to the Department
26 of State Lands”.

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