

# D R A F T

## SUMMARY

Authorizes local governments to assess system development charges for disaster resilience and mitigation. Requires 10 percent of system development charges for disaster resilience and mitigation to be spent on state disaster resilience and mitigation priorities and 90 percent to be spent on local and regional disaster resilience and mitigation priorities.

### A BILL FOR AN ACT

1  
2 Relating to system development charges for disaster resilience; amending  
3 ORS 223.299 and 223.307.

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

5 **SECTION 1.** ORS 223.299 is amended to read:

6 223.299. As used in ORS 223.297 to 223.314:

7 (1)(a) “Capital improvement” means facilities or assets used for the fol-  
8 lowing:

9 (A) Water supply, treatment and distribution;

10 (B) Waste water collection, transmission, treatment and disposal;

11 (C) Drainage and flood control;

12 (D) Transportation; [*or*]

13 (E) Parks and recreation[.]; **or**

14 **(F) Disaster resilience and mitigation.**

15 (b) “Capital improvement” does not include costs of the operation or  
16 routine maintenance of capital improvements.

17 **(2) “Disaster resilience and mitigation” means work done to antic-**  
18 **ipate or reduce risks to property and health resulting from disasters,**  
19 **including but not limited to earthquakes, landslides, avalanches,**

1 (3) System development charges may not be expended for costs associated  
2 with the construction of administrative office facilities that are more than  
3 an incidental part of other capital improvements or for the expenses of the  
4 operation or maintenance of the facilities constructed with system develop-  
5 ment charge revenues.

6 (4) Any capital improvement being funded wholly or in part with system  
7 development charge revenues must be included in the plan and list adopted  
8 by a local government pursuant to ORS 223.309.

9 (5) Notwithstanding subsections (1) and (2) of this section, system devel-  
10 opment charge revenues may be expended on the costs of complying with the  
11 provisions of ORS 223.297 to 223.314, including the costs of developing system  
12 development charge methodologies and providing an annual accounting of  
13 system development charge expenditures.

14 **(6) In addition to the requirements of subsections (1) to (4) of this**  
15 **section, system development charges for disaster resilience and miti-**  
16 **gation shall be spent as follows:**

17 **(a) Ten percent shall be spent on state disaster resilience and miti-**  
18 **gation priorities; and**

19 **(b) Ninety percent shall be spent on disaster resilience and miti-**  
20 **gation priorities of the local government that imposes the system de-**  
21 **velopment charge or of the region in which the local government is**  
22 **located.**

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