



Oregon

Kate Brown, Governor

Department of Revenue
Property Tax Division
955 Center St NE
PO Box 14380
Salem, OR 97309-5075
www.oregon.gov/dor

HB 2281 – Forestland Disqualification Date

What the Measure Does: Conforms statute to current practice for disqualification of forestland special assessment.

Background: Per ORS 321.366 and ORS 321.845, the effective date of disqualification from special assessment of forestland due to discovery by the assessor that the land is no longer forestland occurs as of “the January 1 assessment date for [of] the tax year” in which it is discovered. This date applies only if notification is sent to the property owner “prior to August 15 of the tax year” for which the discovery is asserted.

We believe this language should have been updated when Measure 50 was enacted because it is otherwise only effective for 45 days. The language made more sense in a system where the assessment year and tax year were the same. This “flaw” in the law is more confusing than not workable and requires assessors to look to other more general statutes to process most disqualifications.

Solution: Amend ORS 321.366 (for western Oregon) and ORS 321.845 (for eastern Oregon) to match other special assessment removal dates (e.g. farm use special assessment). Change the reference from “January 1 assessment date for the tax year” to “January 1 assessment date of the assessment year.” This will not change how disqualifications are administered but will greatly simplify explaining the process.

Contact: Mark Gharst, Legislative Liaison for Property Tax at 503-302-8136 or mark.gharst@oregon.gov