

Enrolled
House Bill 2901

Sponsored by Representative BOONE, Senator KRUSE; Representatives GOMBERG, MCKEOWN,
SMITH DB, Senators JOHNSON, ROBLAN

CHAPTER

AN ACT

Relating to appraisal of real property purchased by ports; amending ORS 777.116.

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

SECTION 1. ORS 777.116 is amended to read:

777.116. (1) A port may acquire, by condemnation or other lawful method, hold, use, enjoy and convey, lease or otherwise dispose of real and personal property, or any interest therein, necessary or convenient in carrying out its powers. Condemnation proceedings shall be conducted as provided by ORS chapter 35.

[(2) A port shall not purchase real property without first appointing a disinterested independent appraiser to appraise the property. If the appraiser determines the value of the property exceeds \$500,000, then the port shall appoint one additional appraiser who may be either a port staff appraiser or a disinterested independent appraiser. The appraisal shall fix the fair market value of the property proposed to be purchased. This subsection, however, does not require a port to purchase such property at the appraised value, nor shall the appraisal be admitted in evidence in any condemnation proceeding.]

[(3) An appraiser appointed under this section shall be a state certified appraiser, as defined in ORS 674.010.]

(2)(a) A port may not purchase real property unless the port first obtains an appraisal of the fair market value of the property from a state certified appraiser who is disinterested in the transaction and independent of the port.

(b) If the appraisal obtained under paragraph (a) of this subsection concludes that the value of the property exceeds \$2,000,000, then the port must obtain an additional appraisal of the fair market value of the property before purchasing the property. The appraiser who conducts the additional appraisal must be a state certified appraiser but need not be disinterested in the transaction or independent of the port.

(c) Nothing in this subsection requires the port to purchase the real property at the appraised value.

(d) The appraisals obtained under this section may not be admitted as evidence in any condemnation proceeding.

[(4)] **(3) A port may purchase real or personal property upon a contractual basis when the period of time allowed for payment under the contract does not exceed 20 years.**

(4) As used in this section, "state certified appraiser" has the meaning given that term in ORS 674.010.

Passed by House March 16, 2017

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate May 9, 2017

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Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2017

Approved:

.....M,....., 2017

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2017

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Dennis Richardson, Secretary of State