

House Bill 2901

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

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 **as introduced**.

Increases threshold, from \$500,000 to \$2 million, of real property value that requires port to obtain additional appraisal before purchase.

A BILL FOR AN ACT

1
2 Relating to appraisal of real property purchased by ports; amending ORS 777.116.

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

4 **SECTION 1.** ORS 777.116 is amended to read:

5 777.116. (1) A port may acquire, by condemnation or other lawful method, hold, use, enjoy and
6 convey, lease or otherwise dispose of real and personal property, or any interest therein, necessary
7 or convenient in carrying out its powers. Condemnation proceedings shall be conducted as provided
8 by ORS chapter 35.

9 *[(2) A port shall not purchase real property without first appointing a disinterested independent*
10 *appraiser to appraise the property. If the appraiser determines the value of the property exceeds*
11 *\$500,000, then the port shall appoint one additional appraiser who may be either a port staff appraiser*
12 *or a disinterested independent appraiser. The appraisal shall fix the fair market value of the property*
13 *proposed to be purchased. This subsection, however, does not require a port to purchase such property*
14 *at the appraised value, nor shall the appraisal be admitted in evidence in any condemnation*
15 *proceeding.]*

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

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

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

26 **(c) Nothing in this subsection requires the port to purchase the real property at the ap-**
27 **praised value.**

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

30 *[(4)]* **(3) A port may purchase real or personal [a] property upon a contractual basis when the period**
31 **of time allowed for payment under the contract does not exceed 20 years.**

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

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