

**A-Engrossed**  
**Senate Bill 865**

Ordered by the Senate April 17  
Including Senate Amendments dated April 17

Sponsored by Senator HANSELL; Senator ROBLAN (at the request of Oregon Water Resources Congress)

**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.

Requires county or city governing body to submit [*subdivision or partition plats*] **notice of tentative plan** to certain special districts for district approval prior to approval by governing body.

**Requires certain special districts to submit report detailing district boundaries, district facilities and easements and rights of way held by special district to each city and county in which any part of district is located. Requires district to notify city or county within 90 days of change to information in report.**

**A BILL FOR AN ACT**

1  
2 Relating to approval of plats by certain special districts.

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

4 **SECTION 1. Section 2 of this 2017 Act is added to and made a part of ORS chapter 92.**

5 **SECTION 2. (1) Prior to approving a tentative plan for a proposed plat of a proposed**  
6 **subdivision or partition that is subject to review under ORS 92.044, and that is located in**  
7 **whole or in part within the boundaries, an easement or a right of way of an irrigation dis-**  
8 **trict, drainage district, water control district or water improvement district, a city or a**  
9 **county shall submit notice of the tentative plan to the district.**

10 **(2) Within 15 days of receiving notice under subsection (1) of this section, the district**  
11 **may submit to the city or the county a statement containing any information or recom-**  
12 **mended conditions for approval of the tentative plan for the proposed plat relating to:**

13 **(a) The structural integrity of irrigation facilities;**

14 **(b) District water supply;**

15 **(c) Public safety;**

16 **(d) Potential liabilities of the district; or**

17 **(e) Other potential exposures to the district.**

18 **(3) The district shall base the information and recommended conditions of approval in-**  
19 **cluded in the statement described in subsection (2) of this section on rules and regulations**  
20 **adopted by the district.**

21 **(4) The city or the county may include the conditions for approval described in subsection**  
22 **(2) of this section in the final decision approving the tentative plan of the proposed plat.**

23 **SECTION 3. Section 4 of this 2017 Act is added to and made a part of ORS chapter 198.**

24 **SECTION 4. (1) For the purposes of providing cities and counties with the necessary in-**  
25 **formation to fulfill the requirements of section 2 of this 2017 Act, each irrigation district,**  
26 **drainage district, water control district and water improvement district shall submit a report**

**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 **detailing the locations of the district boundaries, district facilities and any easements and**  
2 **rights of way held by the district to each city and county in which any part of the district**  
3 **is located.**

4 **(2) A irrigation district, drainage district, water control district or water improvement**  
5 **district that submits a report to a city or a county under subsection (1) of this section shall**  
6 **give notice to the city or the county within 90 days of any change to the location of a district**  
7 **boundary, district facility or any easement or right of way held by the district.**

8 **SECTION 5. Each irrigation district, drainage district, water control district and water**  
9 **improvement district shall submit the report required under section 4 (1) of this 2017 Act**  
10 **on or before January 1, 2019.**

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