

# House Bill 3171

Sponsored by Representative MEEK; Representative NEARMAN (at the request of Archbishop Allen Zaugg)

## 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**.

Exempts from ad valorem property taxation first \$150,000 of assessed value of dwelling provided by religious organization and occupied by organization's spiritual leader as primary residence and lot on which dwelling is situated. Denies exemption if religious organization or owner or occupant of dwelling receives consideration for use of dwelling, other than consideration rendered for foster care provided in dwelling.

Applies to property tax years beginning on or after July 1, 2020.

## A BILL FOR AN ACT

1  
2 Relating to property tax exemption for property of religious organization; creating new provisions;  
3 and amending ORS 307.140 and 307.155.

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

5 **SECTION 1.** ORS 307.140 is amended to read:

6 307.140. Upon compliance with ORS 307.162, the following property owned or being purchased  
7 by *[religious organizations shall be]* **a religious organization** is exempt from taxation:

8 (1)(a) All houses of public worship and other *[additional]* buildings and property used solely for  
9 *[administration, education]* **administrative, educational**, literary, benevolent, charitable, enter-  
10 tainment *[and]* **or** recreational purposes by **the religious** *[organizations]* **organization**, the lots on  
11 which *[they]* **the houses of worship, buildings and property** are situated, and the pews, slips and  
12 furniture *[therein]* **inside the houses of worship, buildings and property**.

13 (b) *[However]* **Notwithstanding paragraph (a) of this subsection**, any part of any house of  
14 public worship or other *[additional]* buildings or property *[which]* **that** is kept or used as a store or  
15 shop or for any purpose other than *[those]* **the purposes** stated in *[this section]* **paragraph (a) of**  
16 **this subsection** shall be assessed and taxed **in** the same **manner** as other taxable property.

17 (2)(a) **The first \$150,000 of the assessed value of a dwelling provided by a religious or-**  
18 **ganization and occupied by the spiritual leader of the religious organization as the spiritual**  
19 **leader's primary residence and the lot on which the dwelling is situated.**

20 (b) **Property described in paragraph (a) of this subsection is not exempt if the religious**  
21 **organization or owner or occupant of the dwelling receives consideration for use of the**  
22 **dwelling, other than consideration rendered for foster care provided in the dwelling.**

23 *[(2)]* (3) Parking lots used for parking, or any other use, *[as long as that parking or other]* **pro-**  
24 **vided the** use is permitted without charge for no fewer than 355 days during the **property** tax year.

25 *[(3)]* (4) Land and *[the]* buildings *[thereon]* **on the land** held or used solely for cemetery or  
26 crematory purposes, including any buildings **used** solely *[used]* to store machinery or equipment used  
27 exclusively for maintenance of *[such lands]* **the land**.

28 **SECTION 2.** ORS 307.155 is amended to read:

29 307.155. (1) Land that is exempt from ad valorem property tax under ORS 97.660, 307.140 *[(3)]*

**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) or 307.150 that ceases to be used or held exclusively for cemetery or crematory purposes shall  
2 be subject to assessment and taxation uniformly with real property of nonexempt ownerships.

3 (2) There shall be added to the next general property tax roll, to be collected and distributed  
4 in the same manner as other real property taxes, additional taxes equal to the total amount of taxes  
5 that otherwise would have been assessed against the land had the land not been used or held for  
6 cemetery or crematory purposes for the last 10 years (or such lesser number of years, corresponding  
7 to the years after 1981 of exemption for the land) preceding the year after 1981 in which the land  
8 was exempt from taxation.

9 (3) The lien for the additional taxes imposed by this section, and the interest thereon, shall at-  
10 tach as of the date preceding the date of sale or other transfer of the land.

11 (4) For each year that land is exempt from taxation under ORS 97.660, 307.140 [(3)] (4) or  
12 307.150, or both, the assessor shall enter on the assessment and tax roll, with respect to the land,  
13 the notation "(cemetery land-potential additional tax)."

14 (5) The amount of additional taxes determined to be due under this section may be paid to the  
15 tax collector prior to the completion of the next general property tax roll, pursuant to ORS 311.370.

16 (6) Additional taxes collected under this section shall be deemed to have been imposed in the  
17 year to which the additional taxes relate.

18 **SECTION 3. The amendments to ORS 307.140 and 307.155 by sections 1 and 2 of this 2019**  
19 **Act apply to property tax years beginning on or after July 1, 2020.**

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