

HB 2486-1
(LC 2879)
4/24/19 (RLM/ps)

Requested by SENATE COMMITTEE ON BUSINESS AND GENERAL GOVERNMENT

**PROPOSED AMENDMENTS TO
HOUSE BILL 2486
(INCLUDING AMENDMENTS TO RESOLVE CONFLICTS)**

1 On page 1 of the printed bill, line 2, after “100.275” insert “and section
2 46, chapter ___, Oregon Laws 2019 (Enrolled House Bill 2485)”.

3 On page 2, after line 14, insert:

4 **“SECTION 1a. If House Bill 2485 becomes law, section 1 of this 2019**
5 **Act (amending ORS 100.260) is repealed and ORS 100.260, as amended**
6 **by section 42, chapter ___, Oregon Laws 2019 (Enrolled House Bill 2485),**
7 **is amended to read:**

8 “100.260. (1) The Condominium Information Report required under ORS
9 100.250 (1)(a) must set forth:

10 “(a) The name of the association;

11 “(b) The name of the condominium and the county in which the condo-
12 minium is located;

13 “(c) The mailing address, including the street and number, if any, and
14 county of the association;

15 “(d) The date the condominium declaration was recorded and the record-
16 ing index numbers;

17 “(e) The name and residence or business address, including the street and
18 number, of the person designated as agent to receive service of process in
19 cases provided in ORS 100.550 (1) and any other legal proceeding relating to
20 the condominium or association; and

1 “(f) The number and type of units as follows:

2 “No. _____ Living Units

3 “No. _____ Commercial/Office Units

4 “No. _____ Other (describe) _____

5 “_____

6 “(2) The Annual Report required under ORS 100.250 (1)(b) must set forth:

7 “(a) The information required under subsection (1)(a), (b), (c) and (e) of
8 this section;

9 “(b) The names and addresses of the secretary and the chairperson or
10 president of the association; and

11 “(c) If the designated agent is changed, a statement that the new agent
12 has consented to the appointment.

13 “(3) The amendment required under ORS 100.250 (1)(c) must set forth:

14 “(a) The name of the association as shown on the current records of the
15 Real Estate Agency;

16 “(b) The name of the condominium and county in which the condominium
17 is located;

18 “(c) A statement of the information as changed; and

19 “(d) If the current designated agent is to be changed, the name of the new
20 designated agent and residence or business address, including the street and
21 number, and a statement that the new agent has consented to the appoint-
22 ment.

23 “(4) The filing by the Real Estate Agency of an amendment that changes
24 the designated agent must terminate the existing designated agent on the
25 effective date of the filing and establish the newly appointed designated
26 agent as that of the association.

27 “(5) The reports and amendment described in this section and an appli-
28 cation for termination described in ORS 100.280 must be made *[on forms]* **in**
29 **a format** prescribed and furnished by the Real Estate Agency and must be
30 accompanied by the correct filing fee and shall:

1 “(a) Contain information current as of 30 days before delivery for filing;

2 “(b) Be executed by the [*designated agent and*] **declarant** until the turn-
3 over meeting [*by the declarant*] and thereafter by the **secretary, president**
4 **or chairperson of the** association;

5 “(c) State beneath or opposite the signature the name of the person and
6 the capacity in which the person signs; and

7 “(d) **As required or allowed by rule of the Real Estate Agency:**

8 “[*d*] (A) Contain any **necessary** additional identifying information [*that*
9 *the Real Estate Agency may require by rule.*]; **and**

10 “(B) **Be completed by electronic communications, including receipt**
11 **of the filing fee.**

12 “**SECTION 1b.** If House Bill 2485 becomes law, section 46, chapter __,
13 Oregon Laws 2019 (Enrolled House Bill 2485), is amended to read:

14 “**Sec. 46.** (1) Except as provided in subsection (2) of this section, sections
15 2, 12, 13, 19, 20 and 29 [*of this 2019 Act*], **chapter __, Oregon Laws 2019**
16 **(Enrolled House Bill 2485)**, and the amendments to statutes by sections 3
17 to 10, 14 to 17, 21 to 27 and 30 to 45 [*of this 2019 Act*], **chapter __, Oregon**
18 **Laws 2019 (Enrolled House Bill 2485)**, and **section 1a of this 2019 Act**,
19 apply only to instruments executed on or after the effective date of [*this 2019*
20 *Act*] **chapter __, Oregon Laws 2019 (Enrolled House Bill 2485)**.

21 “(2) The amendments to the references to the termination date specified
22 in ORS 100.105 (2)(b) in ORS 100.105 (3)(a) by section 3 [*of this 2019 Act*],
23 **chapter __, Oregon Laws 2019 (Enrolled House Bill 2485)**, refer to ter-
24 mination dates established by documents executed on, before or after the ef-
25 fective date of [*this 2019 Act*] **chapter __, Oregon Laws 2019 (Enrolled**
26 **House Bill 2485)**.”

27
