

## SB 605 A -9, -13 STAFF MEASURE SUMMARY

### House Committee On Agriculture and Natural Resources

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**Prepared By:** Stuty Maskey, LPRO Analyst

**Meeting Dates:** 5/4, 5/27

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#### WHAT THE MEASURE DOES:

Requires a county board, upon request by a rural fire protection district (RFPD), to annex into the district lands that are either within seven road miles of a district fire station or that are brought within seven miles of a station by a new road, and that are not subject to RFPD tax assessment. Requires the county board to establish and implement a process for the annexation. Authorizes a RFPD to levy certain taxes and fees only to annexed lands that are improved, and not to those that are unimproved. Clarifies that lands unimproved at annexation, that are improved after annexation, may be subject to RFPD tax assessment and fees beginning July 1 following the calendar year in which the lands are improved. Declares emergency, effective on passage.

*Senate Vote: Passed. Ayes, 21; Nays, 8-Anderson, Boquist, Girod, Hansell, Heard, Robinson, Thatcher, Thomsen; Excused, 1-Linthicum*

*FISCAL: Fiscal impact issued*

*REVENUE: No revenue impact*

#### ISSUES DISCUSSED:

##### EFFECT OF AMENDMENT:

-9 Replaces the measure. Allows a rural fire protection district (RFPD) to submit to a county board a request to annex to the district lands that are either within seven road miles of a district fire station or that are brought within seven miles of a station by a new road, and that are not subject to RFPD tax assessment. Requires the county board to order elections on the annexation in the district and in the territory containing the lands and requires the district board to certify the results of the district election. Requires the county board to issue an order of annexation after the elections, if a majority of the votes in both elections are in favor of the annexation, or an order declaring that a majority of the votes in one or both elections are not in favor of the annexation. If the elections do not result in an order of annexation: 1) prohibits the district from submitting a second or subsequent request to annex lands, or a portion of lands, whose annexation was subject to the elections; 2) allows district board to initiate by resolution, one or more times, the annexation of lands, or a portion of lands, whose annexation was subject to the elections. Authorizes a RFPD to levy certain taxes and fees only to annexed lands that are improved, and not to those that are unimproved. Clarifies that lands unimproved at annexation, that are improved after annexation, may be subject to RFPD tax assessment and fees beginning July 1 following the calendar year in which the lands are improved.

*REVENUE: May have revenue impact, but no statement yet issued*

*FISCAL: May have fiscal impact, but no statement yet issued*

-13 Replaces the measure except the emergency clause. Allows a rural fire protection district (RFPD) to submit to a county board a request to annex to the district lands that are either within seven road miles of a district fire station or that are brought within seven miles of a station by a new road, and that are not subject to RFPD tax assessment. Requires the county board that receives the request to approve annexation of the territory or order an election on annexation of the territory. Specifies that if the county board orders an election on annexation of the territory, the electors who are eligible to vote in the election are the electors in the district and the electors in the territory. Requires the county board to issue an order for annexation of territory if the county board approves

*This summary has not been adopted or officially endorsed by action of the committee.*

annexation of the territory or the county board orders an election on annexation of the territory and a majority of the votes cast in the election are in favor of the annexation. Prohibits the district from submitting a second or subsequent request to annex the territory if a majority of the votes in an election are not in favor of annexation of the territory, unless lands are brought within seven road miles of a fire station in a district and the lands are not subject to tax assessment by the district. Requires the county board to file duplicate copies of the order of annexation entered by the county board with the Department of Revenue, the Secretary of State and with the county clerk and the county assessor of each county in which any district affect by the order of annexation is located within 10 days after the order is entered, adopted, or executed.

*REVENUE: No revenue impact*

*FISCAL: May have fiscal impact, but no statement yet issued*

**BACKGROUND:**

Rural Fire Protection Districts (RFPDs) are special districts created to provide fire protection in rural areas of Oregon. There currently are over 200 RFPDs in the state. Counties have the authority to determine the territory included in an RFPD, subject to restrictions concerning territory within a city, water supply district, certain forestlands, railroad rights of way, and ocean shores, and subject to special district petition, hearing, election, and notice requirements.

Senate Bill 605 A would require a county board, upon request by a rural fire protection district, to annex into the district lands within seven road miles of a district fire station, and would authorize the district to levy certain taxes and fees only to annexed lands that are improved.