

Senate Bill 783

Sponsored by Senator ANDERSON

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**.

Provides, for purposes of ad valorem property taxation, frozen assessed value for homestead of individual at least 70 years old. Provides that frozen assessed value equals assessed value of homestead for property tax year immediately preceding first property tax year to which valid claim relates. Provides that, after occurrence of certain circumstances, homestead shall be assessed and taxed as other property similarly situated is assessed and taxed.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to a frozen assessed value for the homesteads of certain individuals; and prescribing an
3 effective date.

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

5 **SECTION 1. (1)(a) Notwithstanding any other provision of law, a homestead, as defined**
6 **in ORS 311.666, owned or co-owned by an individual who is at least 70 years old who has filed**
7 **a valid claim under subsection (3) of this section shall have a frozen assessed value deter-**
8 **mined under subsection (2) of this section.**

9 **(b) The assessed value of the homestead for any property tax year shall be the least of:**

10 **(A) The homestead's maximum assessed value as determined under ORS 308.146;**

11 **(B) The homestead's real market value; or**

12 **(C) The homestead's frozen assessed value.**

13 **(2) The frozen assessed value of a homestead shall equal the assessed value of the**
14 **homestead as shown on the tax statement delivered pursuant to ORS 311.250 with respect**
15 **to the homestead for the property tax year immediately preceding the first property tax year**
16 **to which a valid claim filed under subsection (3) of this section relates.**

17 **(3)(a) An individual's claim for a frozen assessed value for the individual's homestead**
18 **under this section must:**

19 **(A) Be in writing on a form supplied by the Department of Revenue;**

20 **(B) Describe the homestead;**

21 **(C) Recite all facts establishing the eligibility of the homestead for, and of the individual**
22 **to claim, the frozen assessed value; and**

23 **(D) Have attached:**

24 **(i) Any documentary proof required by the department; and**

25 **(ii) A written declaration by the individual that the statements contained in the claim**
26 **are true.**

27 **(b) The claim must be filed with the assessor of the county in which the homestead is**
28 **located after January 1 and on or before April 15 immediately preceding the property tax**
29 **year for which the frozen assessed value is claimed.**

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) The county assessor shall forward each claim filed under this section to the Depart-
 2 ment of Revenue, and the department shall determine whether the homestead is eligible for,
 3 and the individual is eligible to claim, the frozen assessed value. The department shall notify
 4 the county assessor of the department's determination.

5 (5) If the individual and the homestead are determined to be eligible, a timely claim for
 6 the frozen assessed value has the effect of requiring the county assessor to determine the
 7 total amount of taxes due on the individual's homestead in accordance with this section.

8 (6) Any individual aggrieved by the denial of a claim for the frozen assessed value under
 9 this section may appeal to the Oregon Tax Court in the manner provided by ORS 305.404 to
 10 305.560.

11 (7) The frozen assessed value under this section is in addition to and not in lieu of any
 12 other property tax limit, exemption or partial exemption, special assessment or deferral.

13 (8) Notwithstanding subsection (1)(b) of this section, the homestead shall be assessed and
 14 taxed as other property similarly situated is assessed and taxed if, as of January 1 of the
 15 assessment year, any of the following circumstances have occurred since the immediately
 16 preceding January 1:

17 (a) The individual who claimed the frozen assessed value on the homestead dies or, if
 18 there was more than one claimant, the survivor of the individual who originally claimed the
 19 frozen assessed value dies.

20 (b) The homestead granted the frozen assessed value is sold, or a contract to sell is en-
 21 tered into, or a person other than the individual who claimed the frozen assessed value, in-
 22 cluding a transferee, becomes the owner of the homestead.

23 (c) The homestead is no longer the homestead of any individual who claimed the frozen
 24 assessed value, except in the case of an individual required to be absent from the homestead
 25 by reason of health.

26 (d) The homestead granted the frozen assessed value is a manufactured structure or
 27 floating home and has been moved out of the state.

28 (e) New property or new improvements as defined in ORS 308.149 have been added to the
 29 tax account of the homestead that has been granted the frozen assessed value.

30 **SECTION 2.** Section 1 of this 2021 Act applies to property tax years beginning on or after
 31 July 1, 2022.

32 **SECTION 3.** This 2021 Act takes effect on the 91st day after the date on which the 2021
 33 regular session of the Eighty-first Legislative Assembly adjourns sine die.

34