

Requested by Representative WILLIAMS

**PROPOSED AMENDMENTS TO  
HOUSE BILL 2918**

1 In line 2 of the printed bill, after the semicolon insert “creating new  
2 provisions; amending ORS 221.725 and 271.530;”.

3 Delete lines 4 through 29 and insert:

4 **“SECTION 1. (1) As used in this section:**

5 **“(a) ‘Local government’ means a city or county.**

6 **“(b) ‘Surplus real property’ means real property in which a gov-**  
7 **ernment entity holds title through a deed or other legal instrument**  
8 **that is no longer suitable or needed for the duties and responsibilities**  
9 **of the government entity.**

10 **“(2) The Department of Land Conservation and Development shall**  
11 **develop and implement an electronic system for receiving and dis-**  
12 **playing inventory information described in subsection (3) of this sec-**  
13 **tion. The electronic system must be a web-based or online system that**  
14 **allows:**

15 **“(a) Government entities to upload inventories described in sub-**  
16 **section (3) of this section using a template developed by the depart-**  
17 **ment; and**

18 **“(b) The general public to search and view information stored by**  
19 **the system.**

20 **“(3)(a) No later than January 1 of each even-numbered year, each**  
21 **local government shall prepare and submit to the department, using**

1 the system developed under subsection (2) of this section, an inventory  
2 of surplus real property owned by the local government that is:

3 “(A) Located inside an urban growth boundary; or

4 “(B) Located in an area zoned for rural residential use as defined  
5 in ORS 215.501.

6 “(b) A mass transit district established under ORS 267.010 to 267.394  
7 or a transportation district organized under ORS 267.510 to 267.650 may  
8 submit to the department an inventory of surplus real property owned  
9 by the district as described in paragraph (a) of this subsection.

10 “(4) Nothing in this section requires the department to verify the  
11 accuracy of information received by the department using the system  
12 developed under subsection (2) of this section before making the in-  
13 formation available to the public.

14 “(5) No later than February 1 of each even-numbered year, the de-  
15 partment shall present the information received by the department  
16 under subsection (3) of this section in a report to the interim com-  
17 mittees of the Legislative Assembly related to housing in the manner  
18 provided under ORS 192.245.

19 “SECTION 2. (1) As used in this section, ‘low income household’  
20 and ‘moderate income household’ have the meanings given those  
21 terms in ORS 456.270.

22 “(2) Notwithstanding ORS 221.725, and in lieu of a program estab-  
23 lished under ORS 221.727, as provided in this section, a city council  
24 may sell city-owned real property for the purpose of developing af-  
25 fordable rental and owner-occupied housing for low income households  
26 or moderate income households.

27 “(3) Before selling property under this section, the city council must  
28 invite persons interested in developing the property for use as afford-  
29 able housing for low income households or moderate income house-  
30 holds to submit proposals for development to the city council.

1       **“(4) The city council, or an appropriate administrative subdivision**  
2 **of the city, shall review proposals submitted under subsection (3) of**  
3 **this section and recommend whether a proposal should be accepted.**  
4 **A proposal may only be accepted by a vote of the city council.**

5       **“(5) Property sold under this section must be subject to an afford-**  
6 **able housing covenant as described in ORS 456.270 to 456.295.**

7       **“SECTION 3.** ORS 221.725 is amended to read:

8       **“221.725. (1) Except as provided in ORS 221.727 and section 2 of this 2021**  
9 **Act,** when a city council considers it necessary or convenient to sell real  
10 property or any interest therein, the city council shall publish a notice of  
11 the proposed sale in a newspaper of general circulation in the city, and shall  
12 hold a public hearing concerning the sale prior to the sale.

13       **“(2) The notice required by subsection (1) of this section shall be pub-**  
14 **lished at least once during the week prior to the public hearing required**  
15 **under this section. The notice shall state the time and place of the public**  
16 **hearing, a description of the property or interest to be sold, the proposed**  
17 **uses for the property and the reasons why the city council considers it nec-**  
18 **essary or convenient to sell the property. Proof of publication of the notice**  
19 **may be made as provided by ORS 193.070.**

20       **“(3) Not earlier than five days after publication of the notice, the public**  
21 **hearing concerning the sale shall be held at the time and place stated in the**  
22 **notice. Nothing in this section prevents a city council from holding the**  
23 **hearing at any regular or special meeting of the city council as part of its**  
24 **regular agenda.**

25       **“(4) The nature of the proposed sale and the general terms thereof, in-**  
26 **cluding an appraisal or other evidence of the market value of the property,**  
27 **shall be fully disclosed by the city council at the public hearing. Any resi-**  
28 **dent of the city shall be given an opportunity to present written or oral**  
29 **testimony at the hearing.**

30       **“(5) As used in this section and ORS 221.727, ‘sale’ includes a lease-option**

1 agreement under which the lessee has the right to buy the leased real prop-  
2 erty in accordance with the terms specified in the agreement.

3 **“SECTION 4.** ORS 271.530 is amended to read:

4 “271.530. In addition to any other powers which they may now have, and  
5 notwithstanding any law to the contrary, each county and city shall have the  
6 following powers:

7 “(1) To acquire by gift, grant or donation one or more industrial facilities,  
8 which shall be located within the state, and which may be located within,  
9 without, or partially within or partially without, such county or city.

10 “(2) To lease to any person, firm, partnership or corporation, either public  
11 or private, any or all of such industrial facilities acquired pursuant to sub-  
12 section (1) of this section from a nonprofit corporation formed for the pur-  
13 pose of stimulating industrial development, including any part thereof, for  
14 such rentals and upon such terms and conditions and for such period or pe-  
15 riods as the governing body of the appropriate county or city may deem ad-  
16 visable.

17 “(3)(a) To sell or convey all or any of such industrial facilities acquired  
18 by a county, including any part thereof, at public or private sale, with or  
19 without advertisement, and to do all acts necessary to the accomplishment  
20 of such sale and conveyance.

21 “(b) To sell or convey all or any of such industrial facilities acquired by  
22 a city, including any part thereof, at public or private sale as authorized  
23 under ORS 221.725 or 221.727 **or section 2 of this 2021 Act**, and to do all  
24 acts necessary to the accomplishment of such sale and conveyance.

25 **“SECTION 5. This 2021 Act being necessary for the immediate**  
26 **preservation of the public peace, health and safety, an emergency is**  
27 **declared to exist, and this 2021 Act takes effect on its passage.”.**

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