

A-Engrossed Senate Bill 1582

Ordered by the Senate February 14
Including Senate Amendments dated February 14

Sponsored by Senators FREDERICK, KENNEMER, Representative HUDSON, Senator MANNING JR, Representative BYNUM; Senators GELSER BLOUIN, JAMA, PATTERSON, Representatives MCLAIN, MEEK, PHAM, VALDERRAMA (at the request of Douglas County Fire District #2 Chief Robert Bullock, Board Director Guadalupe Preciado-McAlister) (Pre-session filed.)

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.

Authorizes board of directors of rural fire protection district to annex to district lands that are within seven road miles of fire station within district, or are brought within seven road miles of fire station within district [*by new road*], and that are not [*subject to assessments for fire protection by district*] **included in rural fire protection district**. Exempts annexation from requirements for district formation proceedings, requirement that county board determine territory of district and requirement of conference with State Forestry Department prior to annexation. Provides that annexation is not subject to election. Provides that annexed lands are subject to outstanding indebtedness of district, permanent rate limit established by district and local option taxes imposed by district. Provides that annexed lands may be subject to assessments for fire protection by district and certain fee.

Provides that boundary change or proposed boundary change resulting from annexation applies in tax year beginning July 1, 2022, if boundary change or proposed boundary change is certain to become effective before July 1, 2022, and board of directors files final approved forms of legal description and map with county assessor and Department of Revenue on or before June 15, 2022.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to annexing territory to rural fire protection districts; creating new provisions; amending
3 ORS 198.715; and prescribing an effective date.

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

5 **SECTION 1. Section 2 of this 2022 Act is added to and made a part of ORS chapter 478.**

6 **SECTION 2. (1) As used in this section:**

7 (a) **"Annex" means to add lands to a rural fire protection district.**

8 (b) **"Fire station" means a fire station recognized by a fire insurance rating organization
9 as a fire station that is equipped and has personnel who respond to calls.**

10 (c) **"Road" means any public or private thoroughfare that may be used for vehicular
11 traffic.**

12 (2) **Subject to the provisions of ORS 478.010, the board of directors of a rural fire pro-
13 tection district may decide to annex to the district territory containing lands that:**

14 (a) **Are within, or are brought within, seven road miles of a fire station in the district;
15 and**

16 (b) **Are not included in a rural fire protection district.**

17 (3) **If the board of directors decides to annex territory described in subsection (2) of this
18 section, the board of directors shall:**

19 (a) **Issue an order of annexation of the territory by the district;**

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 **(b) File duplicate copies of the order with the Department of Revenue, the Secretary of**
2 **State and the county clerk and county assessor of each county in which the district is lo-**
3 **cated; and**

4 **(c) File a legal description of the change or proposed change and an accurate map**
5 **showing the change or proposed change, as described in ORS 308.225.**

6 **(4) If a board of directors files a legal description and map consistent with ORS 308.225,**
7 **the county assessor and the department shall act in accordance with ORS 308.225.**

8 **(5) The provisions of ORS 198.705 to 198.955, 478.115 and 478.150 do not apply to an**
9 **annexation under this section.**

10 **(6) Notwithstanding ORS 198.705 to 198.955 or any other contrary provision of law, an**
11 **annexation under this section is not subject to an election.**

12 **(7) Notwithstanding subsection (5) of this section, an annexation under this section has**
13 **the effects described in ORS 198.860.**

14 **(8) Lands annexed under this section may be subject to tax assessment by the district**
15 **as described in ORS chapter 478 and a fee described in ORS 478.410.**

16 **SECTION 3. (1) Notwithstanding the March 31 filing deadline described in ORS 308.225, a**
17 **boundary change or proposed boundary change resulting from an annexation authorized by**
18 **section 2 of this 2022 Act applies in the tax year beginning July 1, 2022, if:**

19 **(a) The boundary change or proposed boundary change is certain to become final or ef-**
20 **fective before July 1, 2022; and**

21 **(b) The board of directors annexing the lands files final approved forms of a legal de-**
22 **scription and map, as described in ORS 308.225, on or before June 15, 2022.**

23 **(2) The Department of Revenue shall assist the board of directors with meeting the filing**
24 **requirements of ORS 308.225 by the deadline established by subsection (1)(b) of this section.**

25 **SECTION 4. Section 3 of this 2022 Act is repealed on January 2, 2024.**

26 **SECTION 5. ORS 198.715 is amended to read:**

27 198.715. (1) ORS 198.705 to 198.955 may be cited as the District Boundary Procedure Act.

28 (2)(a) Except as otherwise provided by **paragraph (b) of this subsection** and ORS 199.410 to
29 199.519, all district formation or change of organization proceedings shall be initiated, conducted
30 and completed as provided by ORS 198.705 to 198.955.

31 **(b) [However,] ORS 198.705 to 198.955 [are not intended to] do not** apply when a change of or-
32 ganization is made **or authorized** by statute as provided by ORS 222.510 to 222.580, 451.573 to
33 451.577 and 451.585 **and section 2 of this 2022 Act.**

34 **SECTION 6. This 2022 Act takes effect on the 91st day after the date on which the 2022**
35 **regular session of the Eighty-first Legislative Assembly adjourns sine die.**

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