

HB 4054-8
(LC 245)
2/15/22 (ASD/ps)

Requested by HOUSE COMMITTEE ON REVENUE (at the request of Representatives Bobby Levy,
Andrea Valderrama)

**PROPOSED AMENDMENTS TO
HOUSE BILL 4054**

1 On page 1 of the printed bill, line 2, after “ORS” delete the rest of the
2 line and delete line 3 and insert “358.499 and 358.505;”.

3 Delete lines 6 through 28 and delete pages 2 through 28 and insert:

4 **“SECTION 1.** ORS 358.499 is amended to read:

5 “358.499. (1) Property first classified and specially assessed as historic
6 property for a tax year beginning on or before July 1, 1994, shall continue
7 to be so classified, specially assessed and removed from special assessment
8 as provided under ORS 358.487 to 358.543 as those sections were in existence
9 and in effect on December 31, 1992.

10 “(2) Property may be classified and specially assessed under ORS 358.487
11 to 358.543 pursuant to application filed under ORS 358.487 on or after Sep-
12 tember 9, 1995, and first applicable for the tax year 1996-1997 or any tax year
13 thereafter.

14 “(3) Property may not be classified and specially assessed pursuant to
15 application filed under ORS 358.487 or 358.540 if the application is filed on
16 or after July 1, [2022] **2024, for property tax years beginning on or after**
17 **July 1, 2025.**

18 **“SECTION 2.** Notwithstanding ORS 358.499 (3), property that was
19 **granted special assessment as historic property under ORS 358.480 to**
20 **358.545 for any property tax year beginning before July 1, 2025, shall**
21 **continue to be specially assessed under the provisions of ORS 358.480**

1 **to 358.545, including the period for which the special assessment was**
2 **granted, in effect as of the date on which the property was granted the**
3 **first year of the property’s current initial or second 10-year period of**
4 **historic property special assessment.**

5 **“SECTION 3.** ORS 358.505 is amended to read:

6 “358.505. (1)(a) Except as provided in paragraphs (b) and (c) of this sub-
7 section, for property certified for special assessment as historic property
8 under ORS 358.490, the county assessor shall for 10 consecutive tax years list
9 on the assessment and tax roll a specially assessed value that equals the
10 *[assessed]* **real market** value of the property at the time application was
11 made under ORS 358.487.

12 *“[(b) If the property certified for special assessment as historic property was*
13 *exempt or specially assessed at the time the application was made, the county*
14 *assessor shall for 10 consecutive tax years list on the assessment and tax roll*
15 *a specially assessed value that equals the product of the real market value of*
16 *the property for the tax year in which the application was made multiplied by*
17 *the ratio of the average maximum assessed value over the average real market*
18 *value for that tax year of property in the same area and property class.]*

19 *“[(c)] (b) If the property certified for special assessment as historic prop-*
20 *erty is a condominium unit being assessed upon initial sale by the developer,*
21 *the county assessor shall for the tax years of the remaining term of historic*
22 *property special assessment list on the assessment and tax roll a specially*
23 *assessed value that equals the [product of the real market value of the prop-*
24 *erty for the tax year in which the initial sale took place multiplied by the ratio*
25 *of the average maximum assessed value over the average real market value for*
26 *that tax year of property in the same area and property class]* **real market**
27 **value of the property for the tax year in which the initial sale took**
28 **place.**

29 *“[(d)] (c) For property certified under ORS 358.490 for a second term of*
30 *special assessment as historic property under ORS 358.540, the county*

1 assessor shall, for 10 consecutive tax years after the date of the filing of the
2 application under ORS 358.487 for the second term, list on the assessment
3 and tax roll a specially assessed value that equals the real market value of
4 the property for the assessment year in which the application is made.

5 “(2)(a)(A) Notwithstanding ORS 308.149 (2), **and except as provided in**
6 **subparagraph (B) of this paragraph**, for the first tax year of an initial or
7 second 10-year period of historic property special assessment, the maximum
8 assessed value of property subject to historic property special assessment
9 shall equal the specially assessed value of the property **as determined** under
10 subsection (1) of this section multiplied by the ratio, not greater than 1.00,
11 of the maximum assessed value the property would have had **from the prior**
12 **year** if the property were not specially assessed over the real market value
13 of the property **from the prior year**.

14 “(B) **If the property was specially assessed or exempt in the prior**
15 **year, for the first tax year of an initial or second 10-year period of**
16 **historic property special assessment, the maximum assessed value of**
17 **the property subject to historic property special assessment shall equal**
18 **the specially assessed value of the property multiplied by the ratio of**
19 **the maximum assessed value the property would have had if disquali-**
20 **fied from the special assessment or exemption in the prior year over**
21 **the real market value of the property from the prior year**.

22 “(b) For each tax year after the first tax year during which the property
23 is subject to special assessment as historic property, the property’s maximum
24 assessed value equals 103 percent of the property’s assessed value from the
25 prior year or 100 percent of the property’s maximum assessed value from the
26 prior year, whichever is greater.

27 “(3) The assessed value of property that is classified as historic property
28 for the tax year shall equal the least of:

29 “(a) The property’s specially assessed value as determined under sub-
30 section (1) of this section;

1 “(b) The property’s maximum assessed value as determined under sub-
2 section (2) of this section; or

3 “(c) The property’s real market value as of the assessment date for the
4 tax year.

5 “(4) The entitlement of property to the special assessment provisions of
6 this section shall be determined as of July 1. If the property becomes dis-
7 qualified on or after July 1, its assessment for that year shall continue as
8 provided in this section.

9 “(5) Assessed value, as defined and determined under ORS 308.146, shall
10 be determined for property classified as historic property by the county
11 assessor each year. The assessed value so determined for any year shall be
12 subject to appeal to the county board of property tax appeals within the time
13 and in the manner provided in ORS chapter 309 and shall be subject to ap-
14 peal thereafter to the Oregon Tax Court and to the Oregon Supreme Court
15 within the time and in the manner provided for appeals of value determi-
16 nation for purposes of ad valorem property taxation.

17 **“SECTION 4. The amendments to ORS 358.505 by section 3 of this**
18 **2022 Act apply to property first granted an initial or second 10-year**
19 **period of special assessment as historic property for property tax years**
20 **beginning on or after July 1, 2023.**

21 **“SECTION 5. This 2022 Act takes effect on the 91st day after the**
22 **date on which the 2022 regular session of the Eighty-first Legislative**
23 **Assembly adjourns sine die.”.**

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