

Requested by Senator FREDERICK

**PROPOSED AMENDMENTS TO
A-ENGROSSED SENATE BILL 1582**

1 On page 1 of the printed A-engrossed bill, delete lines 6 through 19.

2 On page 2, delete lines 1 through 25 and insert:

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

4 **“(a) ‘Annex’ means to add lands to a district.**

5 **“(b) ‘Coverage area of the district’ means an area consisting of**
6 **lands that:**

7 **“(A) Are included in the district; and**

8 **“(B) Are within seven road miles of a fire station in the district and**
9 **are not included in a different district.**

10 **“(c) ‘Fire station’ means a fire station recognized by a fire insur-**
11 **ance rating organization as a fire station that is equipped and has**
12 **personnel who respond to calls.**

13 **“(d) ‘Road’ means any public or private thoroughfare that may be**
14 **used for vehicular traffic.**

15 **“(2) If a district identifies the coverage area of the district, the**
16 **district shall notify the owners of lands within the coverage area that**
17 **are not included in a district that:**

18 **“(a) The owners may consent to join the district as described in**
19 **ORS 478.140 at no cost for the joining; and**

20 **“(b) If the owners do not consent to join the district, the district**
21 **may decide not to protect the owners’ lands and, if the district pro-**

1 **vides services at the lands, may bill the owners at three times the cost**
2 **of the services, as determined based on a state standardized-costs**
3 **schedule approved by the State Fire Marshal.**

4 **“(3) Notwithstanding any contrary provision of law, a district or**
5 **county may not charge a fee for the joining of lands to a district under**
6 **subsection (2) of this section, including a fee for filing paperwork re-**
7 **lated to the joining.**

8 **“(4)(a) If a district bills an owner as described in subsection (2)(b)**
9 **of this section and the owner does not pay the bill within 60 days, the**
10 **district may secure payment of the claim by filing an itemized and**
11 **sworn statement, setting forth the dates of performance and the na-**
12 **ture of the services performed, with the county clerk of the county.**

13 **“(b) The claim shall constitute a valid lien against the interest of**
14 **the owner, which lien may be established and enforced in the same**
15 **manner as provided by law for the enforcement of mechanic’s liens.**

16 **“(c) The county may not charge a fee related to the claim, including**
17 **a fee related to filing or processing the claim.**

18 **“(5) A person that insures lands within a coverage area of the dis-**
19 **trict:**

20 **“(a) Shall confirm with the district whether the lands are included**
21 **in the district.**

22 **“(b) May not provide an insurance discount if the lands are not in-**
23 **cluded in the district.**

24 **“(6) If a district identifies the coverage area of the district, subject**
25 **to the provisions of ORS 478.010, the board of directors of the district**
26 **shall annex to the district any lands that are within the coverage area**
27 **of the district when:**

28 **“(a) Ownership of the lands transfers;**

29 **“(b) A new structure subject to damage by fire is built on the lands;**

30 **“(c) A building permit that relates to the lands is issued; or**

1 “(d) A land use decision, as defined in ORS 197.015, a limited land
2 use decision, as defined in ORS 197.015, or a decision concerning a
3 partition, as defined in ORS 92.010, or a subdivision, as defined in ORS
4 92.010, that relates to the lands is approved or issued.

5 “(7) A person that owns lands within a coverage area of the district
6 that are not included in the district shall:

7 “(a) Notify the county if an event described in subsection (6) of this
8 section occurs, unless documentation of the event is otherwise filed
9 with the county; and

10 “(b) Ensure that any information in documentation or notification
11 that relates to the lands and is provided to the county is accurate.

12 “(8) If a county is notified of, or receives documentation of, the
13 occurrence of an event described in subsection (6) of this section on
14 lands in a coverage area of the district, the county shall notify the
15 board of directors of the district that the event has occurred.

16 “(9) After receiving notification from a county as described in sub-
17 section (8) of this section, if the board of directors confirms that the
18 lands meet the criteria described in subsection (6) of this section and
19 are in the coverage area of the district, the board of directors shall
20 annex the lands and, upon annexing the lands, shall:

21 “(a) Issue an order of annexation of the lands that includes an
22 attestation that an event described in subsection (6) of this section has
23 occurred;

24 “(b) File duplicate copies of the order with the Department of Rev-
25 enue, the Secretary of State and the county clerk and county assessor
26 of each county in which the district is located;

27 “(c) File a legal description of the change or proposed change and
28 an accurate map showing the change or proposed change, as described
29 in ORS 308.225; and

30 “(d) Take the steps necessary to ensure that the lands are added to

1 the assessment roll for the tax year beginning July 1 following the
2 calendar year in which the lands are annexed.

3 “(10) If a board of directors files a legal description and map con-
4 sistent with ORS 308.225, the county assessor and the department shall
5 act in accordance with ORS 308.225.

6 “(11) The provisions of ORS 198.705 to 198.955, 478.115 and 478.150 do
7 not apply to an annexation under this section.

8 “(12) Notwithstanding any contrary provision of law, an annexation
9 under this section is not subject to an election.

10 “(13) Notwithstanding subsection (11) of this section, a joining or
11 annexation under this section has the effects described in ORS 198.860.

12 “(14) Lands joined or annexed under this section may be subject to
13 tax assessment by the district as described in this chapter and a fee
14 described in ORS 478.410.”.

15 In line 26, delete “5” and insert “3”.

16 In line 34, delete “6” and insert “4”.

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