

Enrolled
House Bill 2237

Sponsored by Representatives SMITH DB, MORGAN (Presession filed.)

CHAPTER

AN ACT

Relating to the board of property tax appeals; creating new provisions; amending ORS 309.020 and 309.067; and prescribing an effective date.

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

SECTION 1. ORS 309.020 is amended to read:

309.020. (1) Except as provided by subsections (3) and (4) of this section:

(a) The board of property tax appeals shall consist of those persons selected by the county clerk from the pool of board members appointed under ORS 309.067. The clerk shall complete the selection prior to the commencement of the board session as provided in ORS 309.026. The board shall consist of one member of the pool described in ORS 309.067 (1)(a) and two members of the pool described in ORS 309.067 (1)(b).

(b) Additional boards of property tax appeals may be selected by the county clerk if necessary for the efficient conduct of business. Each additional board shall consist of one member of the pool described in ORS 309.067 (1)(a), or under subsection (5) of this section, and two members of the pool described in ORS 309.067 (1)(b).

(2) The term of each member of a county board of property tax appeals shall begin on the date of [appointment] **selection** and shall end on **the earliest of:**

(a) The **second** June 30 [next following appointment] **following the date of selection;** [or]

(b) [when] **The date on which** the member resigns; or

(c) **The date on which the member** is replaced under subsection (4) of this section[, whichever occurs first].

(3) The chairperson of the board shall be the member of the county governing body **selected from the pool described in ORS 309.067 (1)(a)**, if present. If the governing body member is replaced as provided under subsection (4) of this section, the governing body member's replacement shall be the chairperson unless the board votes unanimously to elect one of the [other nonoffice-holding] members **selected from the pool described in ORS 309.067 (1)(b)** present as chairperson of the board. A quorum shall be a minimum of two members.

(4) In the event of the inability or unwillingness of any member to serve, such indisposition continuing for more than seven consecutive days, the member shall be replaced in the manner of an original [appointment] **selection**.

(5) In any county:

(a) The county governing body may [appoint one nonoffice-holding] **select one** county resident **from the pool described in ORS 309.067 (1)(b)** to serve on a board instead of [appointing] **selecting** a member of the county governing body.

(b) Any [*nonoffice-holding*] county resident appointed to the pool **described in ORS 309.067 (1)(b)** may serve on any board as needed for the efficient conduct of business.

(6) A particular member of a board shall not participate in the determination of a petition after the hearing if the board member did not hear and consider, as a member of the board, the evidence presented at the hearing.

SECTION 2. ORS 309.067 is amended to read:

309.067. (1) The county governing body shall appoint:

(a) A pool of members of the county governing body or the governing body's designees who are eligible and willing to serve as members of the county board of property tax appeals.

(b) A pool of [*nonoffice-holding*] residents of the county who are not **officers or** employees of the county or of any taxing district within the county and who are eligible and willing to serve as members of the county board of property tax appeals.

(2) The number of names placed in pools shall be sufficient to meet the projected needs for board members for the term of [*appointment*] **selection** for which the pools are prepared.

(3) The pools shall contain the names, addresses and telephone numbers of the persons in the pools and shall include a brief description of the training under ORS 309.022 in which the person has or will have participated before any term as a board member begins. The pools of appointed persons shall be filed in the records of the county clerk.

(4) A newly filed pool of names shall take precedence over any previously filed pool of names. The county governing body shall designate the date when a newly filed pool of names shall become effective. After a newly prepared pool of names becomes effective, board members shall not be selected from a previously filed pool of names.

(5) The appointment of pools described in this section shall be made by the county governing body on or before October 15 of each year or at any other time upon the request of the county clerk at a regular meeting of the governing body or at a special meeting called by the chairperson of the county governing body.

(6) Appointments made under this section shall be in writing and shall designate the pool to which the member was appointed.

SECTION 3. The amendments to ORS 309.020 and 309.067 by sections 1 and 2 of this 2023 Act apply to appointments made on or after the effective date of this 2023 Act.

SECTION 4. This 2023 Act takes effect on the 91st day after the date on which the 2023 regular session of the Eighty-second Legislative Assembly adjourns sine die.

Passed by House March 20, 2023

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Timothy G. Sekerak, Chief Clerk of House

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Dan Rayfield, Speaker of House

Passed by Senate April 26, 2023

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Rob Wagner, President of Senate

Received by Governor:

.....M,....., 2023

Approved:

.....M,....., 2023

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Tina Kotek, Governor

Filed in Office of Secretary of State:

.....M,....., 2023

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Shemia Fagan, Secretary of State