

House Bill 3078

Sponsored by Representative SMITH G

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 **as introduced**.

Authorizes any combination of cities, counties and ports to designate enterprise zones together.
Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to the designation of enterprise zones; amending ORS 285C.065, 285C.066 and 285C.115; and
3 declaring an emergency.

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

5 **SECTION 1.** ORS 285C.065 is amended to read:

6 285C.065. (1)(a) Any city, county or port may designate an area within the city, county or port
7 as an enterprise zone.

8 (b) A port shall obtain the consent of the governing body of the county prior to designating an
9 area as an enterprise zone.

10 (c) With the prior consent of the governing body of the city or port, a county may, on behalf
11 of a city or port, designate any area within the city or port as an enterprise zone.

12 (d) With the prior consent of the governing body of a city, a port may, on behalf of a city,
13 designate any area that is wholly or partially shared territory of both the port and city as an en-
14 terprise zone.

15 (e) With the prior consent of the governing body of a port, a city may, on behalf of a port,
16 designate any area that is wholly or partially shared territory of both the city and port as an en-
17 terprise zone.

18 (2) One or more cities, counties and ports may designate an area situated partly within each city
19 and partly in unincorporated territory within the counties or ports as an enterprise zone.

20 (3) **Any combination of cities, counties and ports may together designate any area within**
21 **the cities, counties and ports as an enterprise zone.**

22 [(3)] (4) Designation of an enterprise zone under this section shall be made by resolution of the
23 *[governing body of the city, county or port]* **respective governing bodies of the designating cities,**
24 **counties and ports** and is not final until a positive determination in favor of the zone has been
25 made by the Oregon Business Development Department under ORS 285C.074.

26 **SECTION 2.** ORS 285C.066 is amended to read:

27 285C.066. The Oregon Business Development Department may adopt rules related to:

28 (1) The consent required by resolution of the governing body of a city, county or port under
29 ORS 285C.065 [(1)] in order for a city, county or port to designate an enterprise zone.

30 (2) The number of enterprise zones that may be designated within a city or other jurisdiction.

31 **SECTION 3.** ORS 285C.115 is amended to read:

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 285C.115. (1) The sponsor of an enterprise zone may change the boundary of the enterprise zone
2 by resolution of the governing body of the sponsor.

3 (2) The amended enterprise zone shall:

4 (a) Add land zoned for use by eligible business firms that has or will have infrastructure facili-
5 ties, road access, on-site water, on-site sewage disposal and necessary utility services;

6 (b) Continue to include any authorized business firms within the enterprise zone;

7 (c) Add residential areas or nonresidential areas that are adjacent to residential areas only if
8 the level of economic hardship in the areas to be added is at least as severe as the conditions that
9 existed at the time the original enterprise zone was designated or that currently exist in the original
10 enterprise zone;

11 (d) Retain at least 50 percent of the lands in the original enterprise zone; and

12 (e) Meet the applicable total area and greatest distance requirements set forth in ORS 285C.090.

13 (3) If the enterprise zone is a reservation enterprise zone or a reservation partnership zone and
14 the land to be added to the zone is not described in ORS 285C.306, the boundary change, and the
15 resulting boundary of the zone, must fully satisfy the provisions of this section.

16 (4) A boundary change under subsection (1) of this section may:

17 (a) Remove only the land that is residential or not zoned or available for use by eligible business
18 firms; or

19 (b) Change the name of the enterprise zone.

20 (5) The boundary of an urban enterprise zone may not be modified to include land located out-
21 side a regional or metropolitan urban growth boundary.

22 (6) An area that is under the jurisdiction of a city, county or port that is not a sponsor of the
23 enterprise zone may be added to the enterprise zone under this section only if the governing body
24 of the nonsponsoring city, county or port adopts a resolution requesting the change and requesting
25 that the city, county or port become a cosponsor, or a resolution consenting to the change, as pro-
26 vided under ORS 285C.065 [(1)].

27 (7) The resolution of the governing body of a city, county or port to become a cosponsor under
28 subsection (6) of this section may include a restriction described in ORS 285C.070 (4). A restriction
29 made under this paragraph may be made without regard to the time limitation described in ORS
30 285C.070 (4)(c) and becomes final on the effective date of the boundary change.

31 (8) A boundary change under this section is not final until a positive determination has been
32 made by the Oregon Business Development Department under ORS 285C.117.

33 (9) A change in the boundary of an enterprise zone under this section does not change the ter-
34 mination date of the enterprise zone under ORS 285C.245 (2).

35 **SECTION 4. This 2023 Act being necessary for the immediate preservation of the public**
36 **peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect**
37 **on its passage.**

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