

SENATE AMENDMENTS TO B-ENGROSSED HOUSE BILL 3362

By COMMITTEE ON RULES

June 22

1 On page 2 of the printed B-engrossed bill, delete lines 5 through 21 and insert:

2 **“SECTION 4. (1) On or before April 1, 2024, notwithstanding the standing requirements**
3 **of ORS 197.830 (2) or the deadlines imposed by ORS 12.140 or 197.830 (9), any person may file**
4 **with the Land Use Board of Appeals a notice of intent to appeal a land use decision made**
5 **by the county if:**

6 **“(a) The challenged decision approved an application for a template dwelling pursuant to**
7 **ORS 215.750, a legal lot verification under ORS 92.176 or a property line adjustment under**
8 **ORS 92.192;**

9 **“(b) The approval of the challenged decision was based on deeds or documents that were**
10 **forged;**

11 **“(c) The applicant whose application is described in paragraph (a) of this subsection is**
12 **excluded from the definition of ‘innocent purchaser’ based on the criteria in section 2 (4)(a),**
13 **(b) or (c) of this 2023 Act; and**

14 **“(d) The applicant described in paragraph (c) of this subsection owned the property that**
15 **was the subject of the challenged land use decision on January 1, 2023.**

16 **“(2) The board shall conduct an evidentiary hearing for an appeal filed under this section**
17 **to allow the parties to supplement the record before the county.**

18 **“(3) If the challenged decision is overturned on an appeal filed under this section, the**
19 **county may not approve a new application for a template dwelling on the lot or parcel, or**
20 **any portion thereof, upon which the template dwelling was approved by the county.**

21 **“(4) Notwithstanding ORS 197.830 (15)(b), the board may not award attorney fees or ex-**
22 **penses to any party based on an appeal filed under this section.”.**

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