

## SENATE AMENDMENTS TO SENATE BILL 884

By COMMITTEE ON VETERANS, EMERGENCY MANAGEMENT, FEDERAL AND WORLD  
AFFAIRS

April 4

1 On page 1 of the printed bill, delete lines 5 through 30.

2 Delete pages 2 through 4 and insert:

3 “**SECTION 1.** ORS 307.250 is amended to read:

4 “307.250. (1) As used in [*this section and ORS 307.260, 307.262 and 307.270,*] **ORS 307.250 to**  
5 **307.280:**

6 “(a) ‘**Surviving spouse of a veteran**’ means a veteran’s surviving spouse who has not re-  
7 married.

8 “(b) ‘Veteran’ has the meaning given that term in ORS 408.225.

9 “(2) Upon compliance with ORS 307.260, there shall be exempt from taxation not to exceed  
10 [*\$15,000*] **\$60,000** of the assessed value of the homestead or personal property of any of the following  
11 residents of this state other than those described in subsection (3) **or (4)** of this section:

12 “(a) Any veteran who is officially certified by the United States Department of Veterans Affairs  
13 or any branch of the Armed Forces of the United States as having disabilities of 40 percent or more.

14 “(b) Any veteran having served with the United States Armed Forces who, as certified by one  
15 duly licensed physician or naturopathic physician, is rated as having disabilities of 40 percent or  
16 more. [*However, a veteran shall be entitled to the exemption granted under this paragraph only if the*  
17 *veteran during the calendar year immediately preceding the assessment year for which the exemption*  
18 *is claimed had total gross income, including pensions, disability compensation or retirement pay, or any*  
19 *combination of such payments from the United States Government on account of such service, of not*  
20 *more than 185 percent of federal poverty guidelines.*]

21 “[*(c) The surviving spouse remaining unmarried of a veteran, but the exemption shall apply only*  
22 *to the period preceding the date of the first remarriage of the surviving spouse.*]

23 “(c) **The surviving spouse of a veteran.**

24 “(3) Upon compliance with ORS 307.260, there shall be exempt from taxation not to exceed  
25 [*\$18,000*] **\$65,000** of the assessed value of the homestead or personal property of any of the following  
26 residents of this state:

27 “(a) Any veteran who is officially certified by the United States Department of Veterans Affairs  
28 or any branch of the Armed Forces of the United States as having service-connected disabilities of  
29 **at least 40 percent** [*or more*] **but less than 100 percent.**

30 “(b) The surviving spouse [*remaining unmarried*] of a veteran **described in paragraph (a) of**  
31 **this subsection**, if the veteran died as a result of service-connected injury or illness or if the vet-  
32 eran received at least one year of the maximum exemption from taxation [*allowed*] **granted** under  
33 [*paragraph (a) of*] this subsection after 1981 for a veteran certified as having service-connected dis-  
34 abilities of **at least 40 percent** [*or more*] **but less than 100 percent.**

35 “(4) **Upon compliance with ORS 307.260, there shall be exempt from taxation not to ex-**

1 **ceed \$150,000 of the assessed value of the homestead or personal property of any of the fol-**  
2 **lowing residents of this state:**

3 **“(a) Any veteran who is officially certified by the United States Department of Veterans**  
4 **Affairs or any branch of the Armed Forces of the United States as having:**

5 **“(A) A service-connected disability of 100 percent; or**

6 **“(B) More than one service-connected disability, the ratings of which, if added together,**  
7 **would equal 100 percent or more.**

8 **“(b) The surviving spouse of a veteran described in paragraph (a) of this subsection, if**  
9 **the veteran died as a result of service-connected injury or illness or if the veteran received**  
10 **at least one year of the maximum exemption from taxation granted under this subsection**  
11 **after 2022 for a veteran certified as having service-connected disabilities described in this**  
12 **subsection.**

13 **“[(4)] (5) The amount of the exemption [allowed] granted under subsection (2), [or] (3) or (4) of**  
14 **this section shall equal 103 percent of the amount of the exemption for the prior tax year.**

15 **“(6)(a) The homestead or personal property of any residents of this state described in**  
16 **paragraph (b) of this subsection shall be exempt from taxation under paragraph (c) of this**  
17 **subsection.**

18 **“(b) The residents referred to in paragraph (a) of this subsection are:**

19 **“(A) Any veteran who:**

20 **“(i) Is officially certified by the United States Department of Veterans Affairs or any**  
21 **branch of the Armed Forces of the United States as having a service-connected disability of**  
22 **100 percent or as having more than one service-connected disability, the ratings of which, if**  
23 **added together, would equal 100 percent or more; and**

24 **“(ii) Meets the criteria of the United States Department of Veterans Affairs for**  
25 **unemployability.**

26 **“(B) The surviving spouse of a veteran, if the veteran died as a result of service-**  
27 **connected injury or illness or if the veteran received at least one year of the maximum ex-**  
28 **emption from taxation under paragraph (c) this subsection after 2022 for a veteran certified**  
29 **as having service-connected disabilities described in subparagraph (A) of this paragraph.**

30 **“(c) If the property taxes assessed on the homestead or personal property of a resident**  
31 **described in paragraph (b) of this subsection for the current property tax year exceeds 14**  
32 **percent of the resident’s taxable income for the preceding tax year, upon compliance with**  
33 **ORS 307.260, the property shall be 90 percent exempt for the next succeeding property tax**  
34 **year.**

35 **“(d) The individual claiming the exemption under this subsection must include the**  
36 **individual’s income tax return for the preceding tax year.**

37 **“(7)(a) The county assessor shall compute and list the value and compute and list the**  
38 **amount of property taxes that would have been charged on each property receiving an ex-**  
39 **emption under subsection (4) or (6) of this section had the property not received an ex-**  
40 **emption. On or before October 15, the county assessor shall certify the total amounts so**  
41 **computed for each county to the Department of Veterans’ Affairs and to the county treas-**  
42 **urer.**

43 **“(b) Not later than November 15, the department shall pay to each county treasurer the**  
44 **amount certified under paragraph (a) of this subsection, less any discount provided under**  
45 **ORS 311.505.**

1       “(c) **Payments made by the department to the county treasurers under this subsection**  
2 **shall be distributed to the taxing districts of the county in accordance with the schedule of**  
3 **percentages computed under ORS 311.390.**

4       “(8) **An exemption granted under this section to the property of a surviving spouse of a**  
5 **veteran applies solely to the period preceding the date of the first remarriage of the surviv-**  
6 **ing spouse of a veteran and ends on the date of remarriage.**

7       “**SECTION 2.** ORS 307.260 is amended to read:

8       “307.260. (1)(a) Each veteran or surviving spouse **of a veteran** [*qualifying for*] **seeking** the ex-  
9 emption under ORS 307.250 [*shall*] **must** file with the county assessor, on forms supplied by the  
10 assessor, a claim [*therefor*] **for exemption** in writing on or before April 1 of the assessment year for  
11 which the exemption is claimed, except that when the property designated is acquired after March  
12 1 but prior to July 1 the claim [*shall*] **must** be filed within 30 days after the date of acquisition.

13       “(b) A claim [*need not be filed under this section in order to be allowed*] **for** the exemption de-  
14 scribed in ORS 307.250 **is not required** if:

15       “(A) The homestead or personal property of the veteran or surviving spouse **of a veteran** was  
16 [*allowed*] **granted** the exemption under ORS 307.250 for the preceding tax year;

17       “(B) The individual claiming the exemption is a veteran described in ORS 307.250 (2)(a), [*or*]  
18 (3)(a) **or** (4)(a) or a surviving spouse **of a veteran** who meets the requirements of ORS 307.250  
19 (2)(c), [*or*] (3)(b) **or** (4)(b) **or has complied with subsection (4) of this section**; and

20       “(C) As of the filing date for the current tax year, the ownership and use of the homestead or  
21 personal property and all other [*qualifying*] conditions **of eligibility** for the homestead or personal  
22 property to be [*allowed*] **granted** the exemption remain unchanged.

23       “(c)(A) If the individual claiming the exemption is a veteran described in ORS 307.250 (2)(b), the  
24 claimant [*shall*] **must** file a claim annually that satisfies the requirements of subsection (2) of this  
25 section on or before the date required in paragraph (a) of this subsection.

26       “(B) If the county assessor has not received a claim filed under this paragraph on or before  
27 April 1 of the current year, not later than April 10 of each year, the county assessor shall notify  
28 the veteran in the county who [*secured*] **was granted** an exemption under ORS 307.250 (2)(b) in the  
29 preceding year but who did not [*make application therefor*] **file a claim for the exemption** on or  
30 before April 1 of the current year. The county assessor may provide the notification on an unsealed  
31 postal card. A veteran so notified may [*secure*] **be granted** the exemption, if still [*qualified*]  
32 **eligible**, by [*making application therefor to*] **filing a claim for the exemption with** the county  
33 assessor not later than May 1 of the current year, accompanied by a late-filing fee of \$10, which  
34 shall be deposited in the general fund of the county for general governmental expenses. If the claim  
35 for any tax year is not filed within the time specified, the exemption may not be [*allowed*] **granted**  
36 on the assessment roll for that year.

37       “(2)(a) [*The claim shall*] **A claim filed under this section must** set out the basis of the claim  
38 and designate the property to which the exemption may apply. Except as provided in subsection (3)  
39 of this section, **there must be affixed to** claims for [*exemptions*] **exemption** under ORS 307.250  
40 (2)(a), [*and*] (3)(a) **and** (4)(a) [*shall have affixed thereto*] the certificate last issued by United States  
41 Department of Veterans Affairs or the branch of the Armed Forces of the United States, as [*the case*  
42 *may be*] **applicable**, but dated within three years prior to the date of the claim for exemption, cer-  
43 tifying the rate of disability of the claimant.

44       “(b) **Except as provided in subsection (3) of this section, there must be affixed to** claims  
45 for exemption under ORS 307.250 (2)(b) [*shall, except as provided in subsection (3) of this section, have*

1 *affixed thereto, in addition to*] the certificate last issued by a licensed physician or naturopathic  
2 physician and dated within one year prior to the date of the claim for exemption, certifying the rate  
3 of disability of the claimant[, *a statement by the claimant under oath or affirmation setting forth the*  
4 *total gross income received by the claimant from all sources during the last calendar year*].

5 “(c) There **must** also [*shall*] be affixed to each claim the affidavit or affirmation of the claimant  
6 that the statements contained [*therein*] **in the claim** are true.

7 “(3) The provisions of subsection (2) of this section that require a veteran to affix to the claim  
8 certificates of the United States Department of Veterans Affairs, a branch of the Armed Forces of  
9 the United States or a licensed physician or naturopathic physician do not apply to a veteran who  
10 has filed the required certificate after attaining the age of 65 years or to a veteran who has filed,  
11 on or after September 27, 1987, a certificate certifying a disability rating that, under federal law, is  
12 permanent and cannot be changed.

13 “(4)(a) Notwithstanding subsection (1) of this section, a surviving spouse **of a veteran** may  
14 **elect, at any time during the tax year, [file a claim for the] to continue an** exemption under ORS  
15 307.250 [*at any time during the tax year*] **without filing a new claim** if:

16 “(A) The veteran died during the previous tax year; or

17 “(B) The property designated as the homestead was acquired after March 1 but prior to July 1  
18 of the assessment year and the veteran died within 30 days of the date the property was acquired.

19 “**(b) The surviving spouse of a veteran must notify the county assessor of the election.**

20 “[*b*)] (c) [*The claim shall be allowed by the county assessor*] **Upon receipt of the notice, the**  
21 **county assessor shall continue the exemption** if the surviving spouse **of a veteran** meets all of  
22 the [*qualifications for an*] **eligibility requirements for the** exemption under ORS 307.250 other than  
23 the timely filing of a claim under subsection (1) of this section.

24 “[*c*)] (d) If taxes on the exempt value have been paid, the taxes shall be refunded in the manner  
25 prescribed in paragraph (d) of this subsection. If taxes on the exempt value have not been paid, the  
26 taxes and any interest [*thereon shall be*] **are** abated.

27 “[*d*)] (e) The tax collector shall notify the governing body of the county of any refund required  
28 under this section and the governing body shall cause a refund of the taxes and any interest paid  
29 to be made from the unsegregated tax collections account described in ORS 311.385. The refund  
30 under this subsection shall be made without interest. The county assessor and tax collector shall  
31 make the necessary corrections in the records of their offices.

32 “**SECTION 3.** ORS 307.270 is amended to read:

33 “307.270. (1) The exemption under ORS 307.250 applies to property [*a*] **that an eligible** veteran  
34 or surviving spouse **of a veteran** owns or has in possession under a recorded contract of purchase.

35 “(2) The exemption first applies to the homestead of the veteran or surviving spouse **of a vet-**  
36 **eran** and then to the personal property of the veteran or surviving spouse **of a veteran.**

37 “(3) Property of the spouse of [*the*] **a** veteran is deemed the homestead of the veteran if the  
38 veteran and the spouse of the veteran are living together and occupying the property as their  
39 homestead.

40 “(4) When a veteran or surviving spouse **of a veteran** applies for exemption on properties in  
41 two or more counties, the total amount of the exemption allowed in all counties may not exceed the  
42 maximum amount of exemption under ORS 307.250.

43 “[*2*)] (5) For each [*qualified*] **eligible** veteran or surviving spouse **of a veteran,** only one valid  
44 and allowable claim for an exemption on a homestead [*shall*] **may** be permitted in any one assess-  
45 ment year.

1           **“SECTION 4. The amendments to ORS 307.250, 307.260 and 307.270 by sections 1 to 3 of**  
2 **this 2023 Act apply to property tax years beginning on or after July 1, 2024.**

3           **“SECTION 5. This 2023 Act takes effect on the 91st day after the date on which the 2023**  
4 **regular session of the Eighty-second Legislative Assembly adjourns sine die.”.**

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