

## HOUSE AMENDMENTS TO HOUSE BILL 4026

By COMMITTEE ON RULES

February 28

1 In line 2 of the printed bill, after “elections” insert “; creating new provisions; amending ORS  
2 197.626; and declaring an emergency”.

3 Delete lines 4 through 8 and insert:

4 “**SECTION 1.** ORS 197.626 is amended to read:

5 “197.626. (1) A local government shall submit for review and the Land Conservation and Devel-  
6 opment Commission shall review the following final land use decisions in the manner provided for  
7 review of a work task under ORS 197.633 and subject to subsection (3) of this section:

8 “(a) An amendment of an urban growth boundary by a metropolitan service district that adds  
9 more than 100 acres to the area within its urban growth boundary;

10 “(b) An amendment of an urban growth boundary by a city with a population of 2,500 or more  
11 within its urban growth boundary that adds more than 50 acres to the area within the urban growth  
12 boundary;

13 “(c) A designation of an area as an urban reserve under ORS 197A.230 to 197A.250 by a met-  
14 ropolitan service district or by a city with a population of 2,500 or more within its urban growth  
15 boundary;

16 “(d) An amendment of the boundary of an urban reserve by a metropolitan service district;

17 “(e) An amendment of the boundary of an urban reserve to add more than 50 acres to the urban  
18 reserve by a city with a population of 2,500 or more within its urban growth boundary; and

19 “(f) A designation or an amendment to the designation of a rural reserve under ORS 197A.230  
20 to 197A.250 by a county, in coordination with a metropolitan service district, and the amendment  
21 of the designation.

22 “(2) When the commission reviews a final land use decision of a metropolitan service district  
23 under subsection (1)(a), (c), (d) or (f) of this section, the commission shall issue a final order in  
24 writing within 180 days after the commission votes whether to approve the decision.

25 “(3) When reviewing an amendment of an urban growth boundary under subsection (1)(b) of this  
26 section and ORS chapter 197A:

27 “(a) At the request of and in coordination with the city, the Director of the Department of Land  
28 Conservation and Development shall parse work tasks in a manner that allows the Department of  
29 Land Conservation and Development to issue final orders approving or remanding sequential phases  
30 required for completion of the work tasks, including a final order approving:

31 “(A) An inventory of buildable lands and an opportunities analysis under a goal relating to  
32 economic activities or an inventory of buildable lands and a needs analysis under a goal relating to  
33 housing needs.

34 “(B) An estimation of the land need under a goal relating to economic activities.

35 “(C) Any response to the department regarding approval of the estimation of land need, includ-

1 ing changes proposed to comprehensive plan designations or land use zones.

2 “(b)(A) The director shall take action on each sequential phase of a work task described in  
3 paragraph (a) of this subsection not later than 90 days after the local government submits the phase  
4 for review, unless the local government waives the 90-day deadline or the commission grants the  
5 director an extension.

6 “(B) If the director does not take action within the time period required by subparagraph (A)  
7 of this paragraph, the sequential phase of the work task is deemed approved.

8 “(c) The director may approve or remand a sequential phase of a work task or refer the phase  
9 of the work task to the commission for a decision. A decision by the director to approve or remand  
10 a phase of the work task may be appealed to the commission.

11 “(d) The director shall provide a letter to the local government certifying the approval of each  
12 sequential phase of a work task, unless an interested party has filed a timely objection to the phase  
13 of the work task consistent with administrative rules for conducting periodic review.

14 “(4) A final order of the commission under this section may be appealed to the Court of Appeals  
15 in the manner described in ORS 197.650 and 197.651.

16 “(5) **A local government determination described in subsection (1) of this section is not**  
17 **subject to being referred to voters by referendum petition and is reviewable exclusively under**  
18 **this section.**

19 “**SECTION 2. The amendments to ORS 197.626 by section 1 of this 2024 Act apply to all**  
20 **local government determinations described in ORS 197.626 (1) made on or after January 1,**  
21 **2023.**

22 “**SECTION 3. This 2024 Act being necessary for the immediate preservation of the public**  
23 **peace, health and safety, an emergency is declared to exist, and this 2024 Act takes effect**  
24 **on its passage.”**

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