

Requested by Representative BREESE-IVERSON

**PROPOSED AMENDMENTS TO
HOUSE BILL 4026**

1 In line 2 of the printed bill, after “elections” insert “; creating new pro-
2 visions; amending ORS 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
6 Conservation and Development Commission shall review the following final
7 land use decisions in the manner provided for review of a work task under
8 ORS 197.633 and subject to subsection (3) of this section:

9 “(a) An amendment of an urban growth boundary by a metropolitan ser-
10 vice district that adds more than 100 acres to the area within its urban
11 growth boundary;

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

15 “(c) A designation of an area as an urban reserve under ORS 197A.230 to
16 197A.250 by a metropolitan service district or by a city with a population
17 of 2,500 or more within its urban growth boundary;

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

20 “(e) An amendment of the boundary of an urban reserve to add more than
21 50 acres to the urban reserve by a city with a population of 2,500 or more

1 within its urban growth boundary; and

2 “(f) A designation or an amendment to the designation of a rural reserve
3 under ORS 197A.230 to 197A.250 by a county, in coordination with a metro-
4 politan service district, and the amendment of the designation.

5 “(2) When the commission reviews a final land use decision of a metro-
6 politan service district under subsection (1)(a), (c), (d) or (f) of this section,
7 the commission shall issue a final order in writing within 180 days after the
8 commission votes whether to approve the decision.

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

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

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

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

21 “(C) Any response to the department regarding approval of the estimation
22 of land need, including changes proposed to comprehensive plan designations
23 or land use zones.

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

29 “(B) If the director does not take action within the time period required
30 by subparagraph (A) of this paragraph, the sequential phase of the work task

1 is deemed approved.

2 “(c) The director may approve or remand a sequential phase of a work
3 task or refer the phase of the work task to the commission for a decision.
4 A decision by the director to approve or remand a phase of the work task
5 may be appealed to the commission.

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

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

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

15 “**SECTION 2. The amendments to ORS 197.626 by section 1 of this**
16 **2024 Act apply to all local government determinations described in**
17 **ORS 197.626 (1) made on or after January 1, 2023.**

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

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