

**76TH OREGON LEGISLATIVE ASSEMBLY
2012 Regular Session
STAFF MEASURE SUMMARY
HOUSE REVENUE COMMITTEE**

**MEASURE: HB 4041-A
CARRIER: Rep. Bailey**

REVENUE: Revenue Impact Statement Issued

FISCAL: No Fiscal Impact

Action: Do Pass as Amended and be Printed Engrossed

Vote: 7-1-0

Yeas: Bailey, Bentz, Gelser, Read, Wand, Barnhart, Berger

Nays: Brewer

Exc.: 0

Prepared By: Christine Broniak, Economist

Meeting Dates: 2/6, 2/10

WHAT THE BILL DOES: Exempts from taxation property owned exclusively by eligible Indian tribe or by entity wholly owned by eligible Indian tribe if property is used exclusively for certain government services.

ISSUES DISCUSSED:

- Differences between low income housing requirements in introduction and -1 amendment.
- Revenue impact of low income housing exemption
- Addition of requirement that taxpayers file a claim for exemption

EFFECT OF COMMITTEE AMENDMENTS: Allows an exemption from property taxation property that is leased or rented to low income persons by a partnership, nonprofit corporation, or limited liability company of which an eligible Indian tribe is a general partner, limited partner, director, member, manager, or general manager. Allows the exemption for property that is used as an affordable housing activity under 25 USC 4132. Requires properties receiving this exemption satisfy various requirements. Allows the low income housing that receives an exemption to generate an income. Requires taxpayers to file a claim for exemption including information about the property.

BACKGROUND: Properties which provide tribal government services on Indian Reservations and Trust lands are already exempt from taxation. Occasionally, properties that provide these services will be off the reservation or trust lands and become taxable. This measure would extend property tax exemptions to buildings providing tribal government services.

State Capitol Building
900 Court St NE, Room 143
Salem, OR 97301-1347

Phone: 503-986-1266
Fax: 503-986-1770
<http://www.leg.state.or.us>