

# Enrolled Senate Bill 865

Sponsored by Senator HANSELL; Senator ROBLAN (at the request of Oregon Water Resources Congress)

CHAPTER .....

AN ACT

Relating to approval of plats by certain special districts.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1.** Section 2 of this 2017 Act is added to and made a part of ORS chapter 92.

**SECTION 2.** (1) Prior to approving a tentative plan for a proposed plat of a proposed subdivision or partition that is subject to review under ORS 92.044, and that is located in whole or in part within the boundaries, an easement or a right of way of an irrigation district, drainage district, water control district or water improvement district, a city or a county shall submit notice of the tentative plan to the district.

(2) Within 15 days of receiving notice under subsection (1) of this section, the district may submit to the city or the county a statement containing any information or recommended conditions for approval of the tentative plan for the proposed plat relating to:

- (a) The structural integrity of irrigation facilities;
- (b) District water supply;
- (c) Public safety;
- (d) Potential liabilities of the district; or
- (e) Other potential exposures to the district.

(3) The district shall base the information and recommended conditions of approval included in the statement described in subsection (2) of this section on rules and regulations adopted by the district.

(4) The city or the county may include the conditions for approval described in subsection (2) of this section in the final decision approving the tentative plan of the proposed plat.

**SECTION 3.** Section 4 of this 2017 Act is added to and made a part of ORS chapter 198.

**SECTION 4.** (1) For the purposes of providing cities and counties with the necessary information to fulfill the requirements of section 2 of this 2017 Act, each irrigation district, drainage district, water control district and water improvement district shall submit a report detailing the locations of the district boundaries, district facilities and any easements and rights of way held by the district to each city and county in which any part of the district is located.

(2) A irrigation district, drainage district, water control district or water improvement district that submits a report to a city or a county under subsection (1) of this section shall give notice to the city or the county within 90 days of any change to the location of a district boundary, district facility or any easement or right of way held by the district.

**SECTION 5. Each irrigation district, drainage district, water control district and water improvement district shall submit the report required under section 4 (1) of this 2017 Act on or before January 1, 2019.**

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**Passed by Senate April 19, 2017**

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

**Passed by House June 1, 2017**

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Tina Kotek, Speaker of House

**Received by Governor:**

.....M,....., 2017

**Approved:**

.....M,....., 2017

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Kate Brown, Governor

**Filed in Office of Secretary of State:**

.....M,....., 2017

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Dennis Richardson, Secretary of State