

Requested by Senator BENTZ

**PROPOSED AMENDMENTS TO
SENATE BILL 393**

1 On page 1 of the printed bill, line 2, after “354.625” delete the rest of the
2 line and insert “, 354.655 and 354.690.”.

3 On page 2, after line 8, insert:

4 **“SECTION 3.** ORS 354.690 is amended to read:

5 “354.690. (1) When a district broadcasts television signals through a
6 translator on a regular basis and any property within the district receives
7 those signals, the owner of the property receiving the signal shall be liable
8 to the district for the service charges.

9 “(2) When a district broadcasts television signals through a translator on
10 a regular basis, if any person residing on or occupying property located in
11 an area entirely surrounded by the district intentionally receives and uses
12 those signals, the owner of that property is liable to the district for a service
13 charge. The owner of the property shall be deemed to have contracted with
14 the district for use of the translator signals.

15 “(3) The district shall determine which property is receiving the signal,
16 the amount of any service charge and the method of payment by property
17 owners. The district may classify property outside and within the district
18 according to the uses of district signals. For property entirely surrounded
19 by the district, the district shall prepare a verified report which shall dis-
20 close that the property has been physically inspected and that there are
21 reasonable grounds to believe that the property is intentionally receiving and

1 using the signal.

2 “(4) The district shall notify each owner of property it has determined is
3 liable for a service charge at least 30 days prior to imposition of any service
4 charge. The notice shall be by mail and shall include a written declaration
5 which the owner may verify by signing and return to the district office
6 stating that the owner is exempt from the service charge for one of the fol-
7 lowing reasons:

8 “(a) The property already receives adequate regional television signals
9 from another source and is not using district signals;

10 “(b) The property is so situated as to preclude use of the signals; or

11 “(c) A television is not used on the property and there are no plans to
12 do so.

13 “(5)(a) If property outside or within the district is owned, rented or leased
14 by a community antenna television company which carries a district’s tele-
15 vision signals by cable to subscribers because of Federal Communications
16 Commission requirements, that property shall be exempt from any district
17 service charge.

18 **“(b) Property outside or within the district that is owned by the**
19 **State of Oregon is exempt from any district service charge.**

20 “(6) A verified declaration returned to the district under subsection (4)
21 of this section shall exempt the property in question and shall be valid for
22 one year from its signing, unless the owner of the property informs the dis-
23 trict of a change of circumstances which should subject the owner to a ser-
24 vice charge.

25 “(7) By July 15 of any year, the district shall determine which service
26 charges are delinquent and shall certify such charges, together with interest
27 at the rate of two-thirds of one percent per month from the date due, to the
28 assessor of the county in which the property of the person against whom
29 delinquent service charges are assessed is located. The assessor shall enter
30 the charges and interest thereon upon the next assessment and tax roll pre-

1 pared after July 15. The charges and interest, when entered upon the as-
2 sessment and tax roll, shall be a charge upon, and lien against, the real
3 property of the person against whom they are assessed. After the service
4 charges are certified and presented to the assessor, the payment for the ser-
5 vice charges must be made to the tax collector pursuant to ORS 311.370. Such
6 payment shall be made by the person responsible for the delinquent service
7 charge or by the television translator district that has received payment for
8 the delinquent service charge. The charges shall thereupon be collected and
9 paid over in the same manner as other taxes are certified, assessed, collected
10 and paid over, except that, when the tax collector receives the assessor's
11 certificate pursuant to ORS 311.115, the tax collector shall deduct 10 percent
12 of the amount of the delinquent service charges imposed in determining the
13 television translator district's distribution percentage computed pursuant to
14 ORS 311.390. The amount deducted shall be included in determining the dis-
15 tribution percentage of the county, in order to defray the costs incurred by
16 the county in collecting the delinquent service charges.

17 “(8) The district board may enter into an agreement with the owner of
18 property that is not within the district for the payment of service charges
19 for use of the translator signals of the district when:

20 “(a) The electors of the district, at an election called for that purpose,
21 have authorized the district board to make such agreements; and

22 “(b) The property is within a city that is surrounded by the district and
23 is served by a community antenna system regulated by the Federal Commu-
24 nications Commission.”.

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