

HOUSE AMENDMENTS TO HOUSE BILL 2918

By COMMITTEE ON HOUSING

April 7

1 In line 2 of the printed bill, after the semicolon insert “creating new provisions; amending ORS
2 221.725 and 271.530;”.

3 Delete lines 4 through 29 and insert:

4 **“SECTION 1. (1) As used in this section:**

5 **“(a) ‘Local government’ means a city or county.**

6 **“(b) ‘Surplus real property’ means real property in which a government entity holds title
7 through a deed or other legal instrument that is no longer suitable or needed for the duties
8 and responsibilities of the government entity.**

9 **“(2) The Department of Land Conservation and Development shall develop and implement
10 an electronic system for receiving and displaying inventory information described in sub-
11 section (3) of this section. The electronic system must be a web-based or online system that
12 allows:**

13 **“(a) Government entities to upload inventories described in subsection (3) of this section
14 using a template developed by the department; and**

15 **“(b) The general public to search and view information stored by the system.**

16 **“(3)(a) No later than January 1 of each even-numbered year, each local government shall
17 prepare and submit to the department, using the system developed under subsection (2) of
18 this section, an inventory of surplus real property owned by the local government that is:**

19 **“(A) Located inside an urban growth boundary; or**

20 **“(B) Located in an area zoned for rural residential use as defined in ORS 215.501.**

21 **“(b) A mass transit district established under ORS 267.010 to 267.394 or a transportation
22 district organized under ORS 267.510 to 267.650 may submit to the department an inventory
23 of surplus real property owned by the district as described in paragraph (a) of this sub-
24 section.**

25 **“(4) Nothing in this section requires the department to verify the accuracy of informa-
26 tion received by the department using the system developed under subsection (2) of this
27 section before making the information available to the public.**

28 **“(5) No later than February 1 of each even-numbered year, the department shall present
29 the information received by the department under subsection (3) of this section in a report
30 to the interim committees of the Legislative Assembly related to housing in the manner
31 provided under ORS 192.245.**

32 **“SECTION 2. (1) As used in this section, ‘low income household’ and ‘moderate income
33 household’ have the meanings given those terms in ORS 456.270.**

34 **“(2) Notwithstanding ORS 221.725, and in lieu of a program established under ORS 221.727,
35 as provided in this section, a city council may sell city-owned real property for the purpose**

1 of developing affordable rental and owner-occupied housing for low income households or
2 moderate income households.

3 “(3) Before selling property under this section, the city council must invite persons in-
4 terested in developing the property for use as affordable housing for low income households
5 or moderate income households to submit proposals for development to the city council.

6 “(4) The city council, or an appropriate administrative subdivision of the city, shall re-
7 view proposals submitted under subsection (3) of this section and recommend whether a
8 proposal should be accepted. A proposal may only be accepted by a vote of the city council.

9 “(5) Property sold under this section must be subject to an affordable housing covenant
10 as described in ORS 456.270 to 456.295.

11 “**SECTION 3.** ORS 221.725 is amended to read:

12 “221.725. (1) Except as provided in ORS 221.727 and section 2 of this 2021 Act, when a city
13 council considers it necessary or convenient to sell real property or any interest therein, the city
14 council shall publish a notice of the proposed sale in a newspaper of general circulation in the city,
15 and shall hold a public hearing concerning the sale prior to the sale.

16 “(2) The notice required by subsection (1) of this section shall be published at least once during
17 the week prior to the public hearing required under this section. The notice shall state the time and
18 place of the public hearing, a description of the property or interest to be sold, the proposed uses
19 for the property and the reasons why the city council considers it necessary or convenient to sell
20 the property. Proof of publication of the notice may be made as provided by ORS 193.070.

21 “(3) Not earlier than five days after publication of the notice, the public hearing concerning the
22 sale shall be held at the time and place stated in the notice. Nothing in this section prevents a city
23 council from holding the hearing at any regular or special meeting of the city council as part of its
24 regular agenda.

25 “(4) The nature of the proposed sale and the general terms thereof, including an appraisal or
26 other evidence of the market value of the property, shall be fully disclosed by the city council at
27 the public hearing. Any resident of the city shall be given an opportunity to present written or oral
28 testimony at the hearing.

29 “(5) As used in this section and ORS 221.727, ‘sale’ includes a lease-option agreement under
30 which the lessee has the right to buy the leased real property in accordance with the terms specified
31 in the agreement.

32 “**SECTION 4.** ORS 271.530 is amended to read:

33 “271.530. In addition to any other powers which they may now have, and notwithstanding any
34 law to the contrary, each county and city shall have the following powers:

35 “(1) To acquire by gift, grant or donation one or more industrial facilities, which shall be located
36 within the state, and which may be located within, without, or partially within or partially without,
37 such county or city.

38 “(2) To lease to any person, firm, partnership or corporation, either public or private, any or
39 all of such industrial facilities acquired pursuant to subsection (1) of this section from a nonprofit
40 corporation formed for the purpose of stimulating industrial development, including any part thereof,
41 for such rentals and upon such terms and conditions and for such period or periods as the governing
42 body of the appropriate county or city may deem advisable.

43 “(3)(a) To sell or convey all or any of such industrial facilities acquired by a county, including
44 any part thereof, at public or private sale, with or without advertisement, and to do all acts neces-
45 sary to the accomplishment of such sale and conveyance.

1 “(b) To sell or convey all or any of such industrial facilities acquired by a city, including any
2 part thereof, at public or private sale as authorized under ORS 221.725 or 221.727 **or section 2 of**
3 **this 2021 Act**, and to do all acts necessary to the accomplishment of such sale and conveyance.

4 “**SECTION 5. This 2021 Act being necessary for the immediate preservation of the public**
5 **peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect**
6 **on its passage.”.**

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