

HB 3126-1
(LC 3600)
5/19/21 (AG/ps)

Requested by Representative MARSH

**PROPOSED AMENDMENTS TO
HOUSE BILL 3126**

1 In line 2 of the printed bill, after “recovery” insert “; amending ORS
2 198.857; and declaring an emergency”.

3 Delete lines 4 through 8 and insert:

4 **“SECTION 1.** ORS 198.857 is amended to read:

5 “198.857. (1) Notwithstanding ORS 198.750, 198.755, 198.760, 198.765,
6 198.775, 198.850 and 198.855, a parcel of land may be annexed to a district
7 as provided in this section.

8 “(2) When the owner of a parcel of land wants to annex that land to a
9 district, the owner may file an annexation petition with the county board.
10 The petition shall declare that the petition is filed pursuant to this section,
11 state the name of the affected district and all affected counties, indicate the
12 principal Act of the affected district and be signed by the owner of the parcel
13 of land.

14 “(3) Before the petition is filed with the county board, the petition must
15 be approved by indorsement thereon by the board of the affected district and
16 by any other agency also required by the principal Act to indorse or approve
17 the petition.

18 “[3] (4) If a petition filed under this section meets the requirements of
19 **subsections (2) and (3) of** this section and is otherwise sufficient under the
20 principal Act, the county board shall set a date for a public hearing on the
21 petition. The hearing shall be held not sooner than 20 days nor later than

1 50 days after the date on which the petition is filed. Written notice of the
2 hearing shall be mailed to the petitioner and to the board of the affected
3 district.

4 “[4] (5) At the time stated in the notice described in subsection [(3)] (4)
5 of this section, the county board shall hold a public hearing to consider the
6 petition. When determining whether to approve the petition, the county
7 board shall consider the local comprehensive plan for the area and any ser-
8 vice agreement executed between a local government and the affected dis-
9 trict.

10 **“(6) Notwithstanding the requirements of subsections (3) to (5) of**
11 **this section, the county board shall immediately approve a petition**
12 **that meets the requirements of subsection (2) of this section and is**
13 **otherwise sufficient under the principal Act if:**

14 **“(a) A wildfire has resulted in a declared state of emergency;**

15 **“(b) The water supply for the land has become inadequate or**
16 **impure, as determined by a local health department, as a result of the**
17 **emergency conditions; and**

18 **“(c) The petition requests annexation to a water district of land**
19 **that is surrounded by, but not included in, the water district.**

20 **“(7) If [the] a petition is approved under subsection (5) or (6) of this**
21 **section, the county board shall enter an order describing the boundaries of**
22 **the land and declaring the land annexed to the district.**

23 **“SECTION 2. This 2021 Act being necessary for the immediate**
24 **preservation of the public peace, health and safety, an emergency is**
25 **declared to exist, and this 2021 Act takes effect on its passage.”.**

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