

### Background

ORS 308.425 allows a taxpayer whose property was damaged or destroyed by fire or act of God to apply to the county collector for a proration of taxes imposed for the tax year.

### Senate Bill 464

The bill as introduced would require the collector to prorate and cancel taxes imposed on any property if the collector knows or has reason to believe the property was damaged or destroyed by wildfire in September 2020 in a county covered by the Governor's emergency order in response to the wildfires. Any refund of taxes paid would go to the owner at the time the bill is effective, who in a few cases may not be the same person or entity as the owner at the time of the September 2020 wildfires.

The -1 amendment specifies that eligible property will be property within an area on a map adopted by a county for the purposes of the bill. SECTION 1(4) of the amendment says new construction cannot be added to a property tax account prior to January 1, 2021. As written, that would apply not only to new construction following the September 2020 wildfires but also to new construction prior to September 2020. The county assessor would thus have to remove from the account any new construction added to the account in previous years.

### Recommendation

Establish legislative intent regarding how to treat new construction prior to September 2020 and who should receive any tax refund under the act if the property has changed hands since September 2020.

### Agency Contact

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