

**HB 2192 STAFF MEASURE SUMMARY**

**House Committee On Agriculture, Land Use, Natural Resources, and Water**

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**Meeting Dates:** 2/21

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**WHAT THE MEASURE DOES:**

Aligns criteria for alteration, restoration, or replacement of a dwelling on lands zoned for forest use with criteria applicable to dwellings on lands zoned for farm use as follows: (1) for a dwelling that was removed, destroyed or demolished: dwelling tax lot does not have an ad valorem tax lien and the removal, destruction, or demolition occurred on or after January 1, 1973; (2) for a dwelling in state of disrepair so as to be unsafe or constitute an attractive nuisance: dwelling tax lot does not have an ad valorem tax lien; or (3) for any other dwelling: dwelling was assessed as a dwelling for purpose of ad valorem taxation for either the previous five property tax years, or from the time it was erected or affixed to the land became subject to taxation. Requires that the replacement of a lawfully established dwelling to an allowable nonresidential use must occur within one year after the date of certification or by a date determined by the county, not before 90 days after replacement permit issuance if the structure is unsafe for occupancy or an attractive nuisance. Requires that replacement dwelling be sited on the same lot or parcel, using all or part of the footprint of the replaced dwelling or near certain natural or unnatural boundaries and, if possible, be sited within a cluster of structures or within 500 yards of another structure.

**ISSUES DISCUSSED:**

**EFFECT OF AMENDMENT:**

No amendment.

**BACKGROUND:**

In 2013, House Bill 2746 temporarily allowed for the alteration, restoration, or replacement of a dwelling unit on lands zoned for exclusive farm use if certain conditions are met. In 2019, House Bill 3024 further modified the requirements. The law is set to sunset on June 2, 2024.

Regarding lawfully established dwellings as a permitted use on forestland, current law provides for alteration, restoration, or replacement and requires the dwelling to have intact exterior walls, an intact roof structure, indoor plumbing connected to a sanitary waste disposal system, interior electric wiring, and a heating system. If the dwelling is being replaced, it must be removed, demolished, or converted to an allowable nonresidential use within three months of the completion of the replacement dwelling. Forestland dwelling statutes do not allow for alteration, restoration, or replacement of dwellings that no longer have intact walls and other structural components, and do not contain requirements related to ad valorem taxation.

House Bill 2192 would modify requirements for a lawfully established forestland dwelling to be altered, restored, or replaced based on the status of the dwelling and would make these modifications permanent for forestland dwellings as well as lawfully established dwellings in an exclusive farm use zone.