

HB 3362 -2 STAFF MEASURE SUMMARY

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

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Meeting Dates: 4/3

WHAT THE MEASURE DOES:

Allows cities or counties to validate unlawfully established units of land if an application acquired the land as an innocent purchaser and the city or county approved a permit for either the creation or recognition of the unit of land as a lawfully established unit or for a property line adjustment to adjust the boundary of such a unit, and after the sale revoked these permits.

FISCAL: May have fiscal impact, but no statement yet issued

REVENUE: May have revenue impact, but no statement yet issued

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-2 Replaces the measure. Allows a county to approve an application to validate a unit of land acquired by an innocent purchaser prior to January 1, 2023, as described in ORS 92.176, if the county approved an application of land recognition as a lawfully established unit of land, or an application for a property line adjustment thereof prior to the acquisition by the applicant, or if the county revoked either of these approvals after the acquisition by the applicant. Exempts such applications from minimum lot or parcel sizes. Sunsets January 2, 2025. Declares emergency, effective on passage.

FISCAL: May have fiscal impact, but no statement yet issued

REVENUE: May have revenue impact, but no statement yet issued

BACKGROUND:

Oregon law provides a process for validating certain divisions and sale of land without adhering to the strict formalities required by law. A county or city may validate the unit of land that was created by a sale if the land was not fully established but could have complied with the applicable criteria for creation of a lawful unit when it was sold, or if a city or county approves a construction or building permit on the unit of land after the sale.

House Bill 3362 would allow a city or county to validate a unit of land that had been approved for creation or recognition that was later revoked after the sale to an innocent purchaser.