

Senate Joint Resolution 17

Sponsored by Senators ANDERSON, KNOPP (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Proposes amendment to Oregon Constitution directing Legislative Assembly to enact property tax relief program for owner-occupied principal dwellings of certain seniors.

Refers proposed amendment to people for their approval or rejection at next regular general election.

JOINT RESOLUTION

Be It Resolved by the Legislative Assembly of the State of Oregon:

PARAGRAPH 1. The Constitution of the State of Oregon is amended by creating new sections 11m and 11n to be added to and made a part of Article XI, such sections to read:

SECTION 11m. (1) As used in this section:

(a) **"Eligible owner" means an individual at least 67 years of age who is liable for property taxes imposed on the individual's homestead.**

(b) **"Homestead" means:**

(A) **An owner-occupied principal dwelling, whether real or personal property, and the tax lot upon which the dwelling is situated; or**

(B) **If the dwelling is in a multiunit building:**

(i) **The portion of the building actually occupied as the principal dwelling of the owner; and**

(ii) **The share of the value of the building's common elements that is determined by dividing the value of the dwelling unit that is occupied as the principal dwelling by the total value of the multiunit building exclusive of any common elements and multiplying the quotient by the combined value of the building's common elements and the tax lot upon which the building is situated.**

(2) **The Legislative Assembly shall enact a property tax relief program pursuant to which, notwithstanding section 11 of this Article, the assessed value of a homestead described in subsection (3) of this section may not be increased during the period in which the homestead is enrolled in the program.**

(3)(a) **A homestead is eligible for the property tax relief program benefit enacted pursuant to this section for any property tax year if, on or before April 15 immediately preceding the beginning of the property tax year:**

(A) **The owner of the homestead is an eligible owner;**

(B) **The homestead is jointly owned and occupied by more than one eligible owner; or**

(C) **The homestead is jointly owned by one individual who is an eligible owner and one individual who is less than 67 years of age, provided the eligible owner:**

(i) **Is medically incapacitated;**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 (ii) Is a veteran officially certified by the United States Department of Veterans Affairs
2 or any branch of the Armed Forces of the United States as having disabilities of 50 percent
3 or more; or

4 (iii) Resides in a long term care facility in Oregon and the other joint owner's principal
5 dwelling is the homestead.

6 (b) With respect to a homestead placed in a trust, the trustee may file a claim for the
7 property tax relief program benefit on behalf of an eligible owner whose homestead would
8 be eligible for the program benefit if the homestead had not been placed in the trust.

9 (4) Upon the sale or transfer of a homestead granted the property tax relief program
10 benefit enacted pursuant to this section, if the purchaser is not eligible to claim, or for any
11 reason does not claim, the program benefit for the homestead, notwithstanding section 11
12 of this Article, the assessor of the county in which the homestead is located shall reassess
13 the homestead so that, for the next succeeding property tax year, the assessed value is what
14 it would have been if the homestead had never received the program benefit.

15 **SECTION 11n. (1) In the first odd-numbered year regular session that begins after the**
16 **people approve this amendment, the Legislative Assembly shall enact all laws necessary to**
17 **implement section 11m of this Article.**

18 (2) Laws enacted pursuant to subsection (1) of this section are not subject to the prohi-
19 bition under section 1a, Article IX of this Constitution, against declaring an emergency.

20 (3) This section is repealed on January 2, 2032.

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22 **PARAGRAPH 2. The amendment proposed by this resolution shall be submitted to the**
23 **people for their approval or rejection at the next regular general election held throughout**
24 **this state.**

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