

Property Tax Levy Technical Corrections to Conform with 1997 Measure 50

Position

The Department of Revenue supports SB 206. The bill repeals several unused statutes that conflict with 1997's Measure 50.

Background

Oregon Constitution, Article XI, Section 11(3)(b) creates permanent property tax rates for tax districts that can only be exceeded by local option levies subject to a vote of the people. It also says levies should be imposed on "assessed value," (AV) not real-market value (RMV), in the district.

Obsolete statutes related to several taxing districts have limitations based on RMV, with no reference to permanent rate authority, and without mention of a vote of the people. Those districts include peoples' utility districts; parks and recreation; library boards; heritage districts; cities, for parks; and counties, for historical funds and funding of veterans' services officers.

The bill simply repeals the conflicting portions of the following statutes.

- ORS 226.200 allows a city governing board to adopt a tax for parks, but it neglects the required vote of the people.
- ORS 261.385 allows a people's utility district board to levy a tax, but it neglects the vote of the people and ties the rate to RMV rather than AV.
- ORS 266.420, ORS 266.540, and ORS 266.550 require parks and recreation districts to annually set an amount of tax to levy, but neglect the required vote of the people and archaically tie the rate to RMV rather than AV.
- ORS 357.266 allows a library board to levy a tax, neglecting the required vote of the people and tying the rate to RMV rather than AV.
- ORS 358.468 allows a board of a heritage tax district to levy a rate, neglecting the vote of the people and tying the rate to RMV rather than AV.

The following statutes, and directly related statutes, are modified to reduce conflicts.

- ORS 358.180 allows voters to choose a levy for a county historical fund, but it ties the rate to RMV rather than AV.
- ORS 408.720 allows a county to impose a levy to fund a veterans' services officer, but it neglects the required vote of the people and ties the percentage to RMV rather than AV.

Agency Contact

Seiji T. Shiratori, Policy Director, Property Tax Division, Oregon Department of Revenue, email: seiji.shiratori@dor.oregon.gov, phone: 503-877-7932