

HOUSE AMENDMENTS TO HOUSE BILL 3143

By COMMITTEE ON TRADE AND ECONOMIC DEVELOPMENT

May 9

1 On page 1 of the printed bill, line 2, after “ORS” delete the rest of the line and lines 3 through
2 5 and insert “285C.050, 285C.065 and 285C.080; and prescribing an effective date.”.

3 On page 3, delete lines 3 through 45 and delete pages 4 through 13 and insert:

4 “**SECTION 2.** ORS 285C.080 is amended to read:

5 “285C.080. (1) **As provided in ORS 285C.065 and 285C.075**, the Director of the Economic and
6 Community Development Department may approve the designation of:

7 “(a) Up to 17 areas as nonurban enterprise zones [*as provided in ORS 285C.065 and 285C.075*];
8 **and**

9 “(b) **Up to 10 areas as urban or nonurban enterprise zones.**

10 “(2) Areas designated as enterprise zones under this section shall be in addition to the 30 areas
11 designated or redesignated as enterprise zones by order of the Governor under ORS 284.160 (1987
12 Replacement Part) before October 3, 1989, areas redesignated under ORS 285C.250, areas designated
13 under ORS 285C.085 and areas designated under ORS 285C.306.

14 “**SECTION 3. Section 4 of this 2005 Act is added to and made a part of ORS 285C.050 to**
15 **285C.250.**

16 “**SECTION 4. (1) A local taxing district that is listed in ORS 198.010 or 198.180 may elect**
17 **not to participate in an enterprise zone described in ORS 285C.080 (1)(b). If a district elects**
18 **not to participate in a zone described in ORS 285C.080 (1)(b), the district shall continue to**
19 **impose ad valorem property taxes on property in the zone that would otherwise be exempt**
20 **under ORS 285C.175.**

21 “(2) **A city or county that is seeking designation of an area as an enterprise zone under**
22 **ORS 285C.080 (1)(b) shall, prior to applying for designation under ORS 285C.065, send written**
23 **notification to each local taxing district having territory in the proposed zone. The notifica-**
24 **tion shall:**

25 “(a) **Describe the proposed zone;**

26 “(b) **Explain the exemption described in ORS 285C.175; and**

27 “(c) **Explain the process by which a district may elect not to participate in the zone.**

28 “(3) **In order to make the election not to participate in an enterprise zone, the governing**
29 **body of the local taxing district shall adopt an ordinance or resolution declaring that the**
30 **district elects not to participate in the zone. The ordinance or resolution must be adopted**
31 **within 60 days following the date of written notification under subsection (2) of this section.**
32 **The district shall immediately submit a copy of the ordinance or resolution to the city or**
33 **county applying for zone designation.**

34 “**SECTION 5.** ORS 285C.065 is amended to read:

35 “285C.065. (1) Any city or county may apply to the Director of the Economic and Community

1 Development Department for designation of an area within that city or county as an enterprise zone.
2 With the prior consent of the governing body of the city, a county may apply to the Economic and
3 Community Development Department on behalf of a city for designation of any area within that city
4 as an enterprise zone.

5 “(2) One or more cities and counties may apply to the director for designation of an area situ-
6 ated partly within each city and partly in unincorporated territory within the counties as an en-
7 terprise zone.

8 “(3) An application for designation of an enterprise zone shall be in the form and contain such
9 information as the department, by rule, may require. However, the application shall:

10 “(a) Be submitted on behalf of one or more local government units as described in subsections
11 (1) and (2) of this section by resolution of the governing body of each applicant;

12 “(b) Contain a description of the area sought to be designated as an enterprise zone;

13 “(c) Contain information sufficient to allow the department to determine if the criteria estab-
14 lished in ORS 285C.090 are met;

15 “(d) State that the applicant will give priority to the use in the proposed enterprise zone of any
16 economic development or job training funds received from the federal government; and

17 “(e) Declare that the applicant will comply with ORS 285C.105 and perform any other duties of
18 the sponsor under ORS 285C.050 to 285C.250.

19 “(4) When applying for designation of an enterprise zone within its boundaries under this sec-
20 tion, the applicant may include in the application:

21 “(a) Proposals to enhance the level or efficiency of local public services within the proposed
22 enterprise zone including, but not limited to, fire-fighting and police services; and

23 “(b) Proposals for local incentives and local regulatory flexibility to authorized business firms.

24 “(5) In the case of joint applications by more than one local government unit, each city or
25 county joining in the application may include proposals for enhanced local public services, local
26 incentives or local regulatory flexibility to be effective within the boundaries of that local govern-
27 ment unit.

28 “(6) Proposals under subsection (4) or (5) of this section for enhanced local public services, local
29 incentives or local regulatory flexibility included in the application by a city or county for an en-
30 terprise zone are binding upon the city or county if an enterprise zone is designated wholly or partly
31 within its boundaries.

32 “(7)(a) **When applying for designation of an enterprise zone described in ORS 285C.080**
33 **(1)(b) within its boundaries, the applicant shall include in the application a list of local taxing**
34 **districts listed in ORS 198.010 or 198.180 that have territory in the proposed zone and a copy**
35 **of the written notification sent to the districts pursuant to section 4 of this 2005 Act.**

36 “(b) **The applicant shall submit to the director a list of local taxing districts that have**
37 **elected under section 4 of this 2005 Act not to participate in the proposed zone. The list of**
38 **nonparticipating districts shall be submitted to the director within 90 days following the date**
39 **the written notification described in section 4 of this 2005 Act was sent to the districts or**
40 **30 days after the date the application is filed with the department, whichever is later.**

41 “**SECTION 6. This 2005 Act takes effect on the 91st day after the date on which the**
42 **regular session of the Seventy-third Legislative Assembly adjourns sine die.**”.