

Secretary of State
NOTICE OF PROPOSED RULEMAKING HEARING*
A Statement of Need and Fiscal Impact accompanies this form

FILED
5-12-16 11:09 AM
ARCHIVES DIVISION
SECRETARY OF STATE

Department of Revenue
Agency and Division
Lois Williams
Rules Coordinator
Department of Revenue, 955 Center St. NE, Salem, OR 97301
Address

150
Administrative Rules Chapter Number
(503) 945-8029
Telephone

RULE CAPTION

Property Tax: Property Valuation, Rezoned Property, Central Assessment, Ballot Measures, Exemptions, Deferral
Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

Hearing Date	Time	Location	Hearings Officer
6-23-16	10:00 a.m.	Revenue Bldg; Fishbowl Conf. Rm; 955 Center St NE; Salem, OR 97301	Marcus Cridge

RULEMAKING ACTION

Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

ADOPT:

AMEND:

~~150-208.075~~, 150-307.455; 150-307.475

150-280.075
LW

REPEAL:

RENUMBER: Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

AMEND AND RENUMBER: Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

150-307.126 to 150-308.671; 150-308.156(5)-(B) to 150-308.156-(B)

Statutory Authority:

ORS 305.100, 308.156, 308.205

Other Authority:

Statutes Implemented:

ORS ~~208.075~~, 307.126, 307.455, 307.475, 308.156, 308.671

280.075
LW

RULE SUMMARY

~~150-208.075~~ - New requirement for local ballot measures created by 2015 HB 2635.

280.075 LW

150-307.126 amended and renumbered to 150-308.671 - To reflect changes made in 2015 by SB 611.

150-307.455 - A law change in 2015 expanded the exemption on food processing equipment to include equipment used in the processing of grains, bakery products, dairy products, and eggs.

150-307.475 - Remove reference to repealed ORS 308.428.

150-308.156(5)-(B) amended and renumbered to 150-308.156-(B) - To provide guidance as to what constitutes "rezoning and use consistent with the rezoning" when recalculating MAV.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

Last Day (m/d/yyyy) and Time
for public comment

Rules Coordinator Name

Email Address

*The Oregon Bulletin is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation.

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT
A Notice of Proposed Rulemaking Hearing accompanies this form.

FILED
5-12-16 11:09 AM
ARCHIVES DIVISION
SECRETARY OF STATE

Department of Revenue

150

Agency and Division

Administrative Rules Chapter Number

Property Tax: Property Valuation, Rezoned Property, Central Assessment, Ballot Measures, Exemptions, Deferral

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of:

AMEND: 150-208-075; 150-307.455; 150-307.475

AMEND AND RENUMBER: 150-307.126 to 150-308.671; 150-308.156(5)-(B) to 150-308.156-(B)

Statutory Authority:

ORS 305.100, 308.156, 308.205

Other Authority:

Statutes Implemented:

ORS ~~208-075~~, 307.126, 307.455, 307.475, 308.156, 308.671

Need for the Rule(s):

150-~~208-075~~ - New requirement for local ballot measures created by 2015 HB 2635.

150-307.126 amended and renumbered to 150-308.671 - To reflect changes made in 2015 by SB 611.

150-307.455 - A law change in 2015 expanded the exemption on food processing equipment to include equipment used in the processing of grains, bakery products, dairy products, and eggs.

150-307.475 - Remove reference to repealed ORS 308.428.

150-308.156(5)-(B) amended and renumbered to 150-308.156-(B) - To provide guidance as to what constitutes "rezoning and use consistent with the rezoning" when recalculating MAV.

Documents Relied Upon, and where they are available:

Oregon Revised Statutes and Oregon Administrative Rules, both of which are available online or from the Agency.

Fiscal and Economic Impact:

There is no fiscal or economic impact due to these rule changes. The statutes implemented are what cause the impact.

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):

There is no impact to state agencies and a de minimis effect on the counties and the public. These changes tend to be clarifying or interpretive in nature and do not affect the cost to comply.

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small business and types of businesses and industries with small businesses subject to the rule:

Oregon has approximately 123,000 small businesses with fewer than 250 employees that employ 81% of the state's workforce. Oregon has approximately 105,646 small businesses with fewer than 100 employees. Based on this information and information from tax returns reporting number of employees, we estimate Oregon has approximately 91,848 small businesses with fewer than 50 employees who are subject to these rules.

Oregon Small Business Development Center Network www.bizcenter.org/about/our-impact

Business Oregon www.oregon4biz.com/assets/docs/DataPacket09.pdf

Oregon Department of Revenue Research Section, 10-14-2013 Wage file extract 2012 tax year

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:

There is a de minimis effect on those subject to the rules, as these changes tend to be clarifying or interpretive in nature and does not affect projected reporting, record-keeping or other administrative activities, or costs.

c. Equipment, supplies, labor and increased administration required for compliance:

None known.

How were small businesses involved in the development of this rule?

We communicated and worked with small business liaison groups such as the Oregon State Bar Tax Section, Food Processors Association, Associated Oregon Industries, housing advocates, realtors and interested legislators to obtain their input into how this rule will affect their clients, some of whom are small businesses. We also reached out to the Association of Oregon Counties, County Assessors, the League of Oregon Cities, and many businesses directly affected by the changes.

Administrative Rule Advisory Committee consulted?: No

If not, why?:

The Department of Revenue did not use a formal Advisory Committee for these rules; however, we did seek and receive input from industry representatives as well as from the counties and other taxpayer groups on these rule changes. No Administrative Rule Advisory Committee was consulted because the above groups were contacted, and they have the interest and expertise necessary to provide adequate feedback on the proposed rule; therefore a committee is unlikely to provide further benefit.

06-23-2016 5:00 p.m.	Lois Williams	lois.j.williams@oregon.gov
Last Day (m/d/yyyy) and Time for public comment	Printed Name	Email Address