

CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS

Presentation Date: 09/20/2016 **Approx Start Time:** 11:00 a.m. **Approx Length:** 30 minutes

Presentation Title: Property Tax Exemption for Spouses of Public Safety Officers Killed in the Line of Duty

Department: County Administration

Presenters: Dan Chandler

Other Invitees:

WHAT ACTION ARE YOU REQUESTING FROM THE BOARD?

Consideration of a draft resolution providing for a partial property tax exemption for the spouses of certain Public Safety Officers killed in the line of duty.

EXECUTIVE SUMMARY:

The 2016 legislature unanimously passed SB 1513, which allows a county to provide an exemption of up to \$250,000 of the assessed value of the homestead of the surviving spouse of a public safety officer killed in the line of duty. There is significant interest from our public safety agencies in Clackamas County providing an exemption. A county-adopted exemption binds all taxing jurisdictions within the county, and ends on remarriage of the surviving spouse.

At this point, we could determine that the following counties have adopted exemptions:

- Clatsop
- Multnomah
- Columbia
- Yamhill

Other counties are considering the exemption as well.

FINANCIAL IMPLICATIONS (current year and ongoing):

Is this item in your current budget? YES NO

What is the cost? N/A

What is the funding source? N/A

Adopting the full exemption will have minimal financial impact to the County. We don't have exact figures on the number of spouses to whom the exemption would apply. However the following ranges would apply per person:

Approximate tax impact to County per person per year at full exemption amount:

Rural Area	\$620	(\$2.48 per thousand times 250k assessed value)
Urban Area	\$750	(\$2.96 per thousand times 250k assess value)

The approximate range of benefit for qualifying surviving spouse including all taxing districts would range between \$2,500 to \$5,200 per year

STRATEGIC PLAN ALIGNMENT:

How does this item align with the County's Performance Clackamas goals?

A key area of focus is **Keeping Citizens Safe, Healthy and Secure**. Our public safety officers play a vital role in this effort. By supporting public safety officers and their families, the County will help support them in the area of focus.

LEGAL/POLICY REQUIREMENTS:

SB 1513 contains definitions, limitations and implementation requirements for the exemption.

PUBLIC/GOVERNMENTAL PARTICIPATION:

The Clackamas County Sheriff, the Canby Chief of Police and the FD#62 Fire Chief have all expressed support for the exemption

OPTIONS:

1. Adopt the draft resolution implementing the full exemption.
2. Make changes or limit the resolution in some fashion.
3. Reject the tax exemption.

RECOMMENDATION:

Option 1 – Approve the resolution implementing the exemption.

Attachments:

Draft Resolution
SB 1513

SUBMITTED BY:

Division Director/Head Approval _____
Department Director/Head Approval /ss/ Dan Chandler
County Administrator Approval _____

For information on this issue or copies of attachments, please contact Dan Chandler 503-724-5394
--

In the Matter of a Resolution Enacting
a Property Tax Exemption for Surviving
Spouses of Public Safety Officers Killed
in the Line of Duty

Resolution No.

WHEREAS, The 2015/16 State of Oregon Legislature unanimously passed Senate Bill 1513, creating a property tax exemption for the homesteads of the surviving spouses of certain public safety officers - fire service professionals, police officers and reserve officers - killed in the line of duty; and

WHEREAS, Section 1, Article 2 of the bill states, "A county may provide, by ordinance or resolution, that up to \$250,000 of assessed value of each homestead located in the county shall be exempt from ad valorem property taxes imposed by all taxing jurisdictions on the homestead;" and

WHEREAS, Clackamas County supports public safety officers and their families. Their dedication and willingness to place themselves in danger to protect our community deserves gratitude and appreciation.

NOW, THEREFORE, the Clackamas County Board of Commissioners does hereby resolve:

1. Up to \$250,000 of the assessed value of the homestead of the surviving spouses of fire service professionals, police officers and reserve officers (as those officers as defined in ORS 181A.355) shall be exempt from ad valorem property taxes imposed by all taxing jurisdictions on the homestead.
2. Definitions and requirements for the exemption are as set forth in SB 1513, as it may hereafter be amended, as well as in ORS 181A.335, as amended. The exemption provided herein is subject to administrative rules and requirements of the Department of Revenue and all other relevant laws, rules, and regulations.

ADOPTED this ___ day of _____, 2016.

CLACKAMAS COUNTY BOARD OF COMMISSIONERS

John Ludlow, Chair

Recording Secretary

Enrolled
Senate Bill 1513

Sponsored by Senators GIROD, COURTNEY, KNOPP, JOHNSON (Presession filed.)

CHAPTER

AN ACT

Relating to a property tax exemption for the homesteads of the surviving spouses of certain public safety officers; and prescribing an effective date.

Be It Enacted by the People of the State of Oregon:

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

(a) "Fire service professional," "police officer" and "reserve officer" have the meanings given those terms in ORS 181A.355.

(b) "Homestead" means the owner-occupied principal dwelling, either real or personal property, owned by a surviving spouse and the tax lot upon which the dwelling is located.

(c) "Surviving spouse" means the spouse of a fire service professional, police officer or reserve officer killed in the line of duty who has not remarried after the death of the fire service professional, police officer or reserve officer.

(2)(a) A county may provide, by ordinance or resolution, that up to \$250,000 of assessed value of each homestead located in the county shall be exempt from ad valorem property taxes imposed by all taxing jurisdictions on the homestead.

(b) An exemption granted under this section applies solely to the period preceding the date of the first remarriage of the surviving spouse after the death of the fire service professional, police officer or reserve officer and ends on the date of remarriage.

(3)(a) A surviving spouse seeking an exemption granted pursuant to this section must file an application with the county assessor on or before April 1 preceding the property tax year for which the exemption is sought.

(b) If the homestead designated in the claim for exemption is acquired after March 1 and before July 1, the claim for that year must be filed within 30 days after the date of acquisition.

(c) Notwithstanding paragraphs (a) and (b) of this subsection, a claim may be filed for the current tax year:

(A) On or before December 31 of the tax year, if the claim is accompanied by a late filing fee in an amount equal to the greater of \$200 or one-tenth of one percent of the real market value as of the most recent assessment date of the homestead to which the claim pertains.

(B) On or before April 1 of the tax year, if the claim is accompanied by a late filing fee of \$200 and the claimant is a first-time filer, as defined in ORS 307.162, or demonstrates good and sufficient cause, as defined in ORS 307.162, for failing to file a timely claim.

(4)(a) An application for an exemption granted pursuant to this section must:

(A) Be made on a form prescribed by the Department of Revenue;

(B) Designate the property for which the exemption is claimed and be accompanied by documentation showing the surviving spouse's ownership of the homestead;

(C) Include a statement setting forth the basis for eligibility for the exemption;

(D) Be accompanied by a document that:

(i) Is issued by the fire service agency or law enforcement unit that employed or utilized the fire service professional, police officer or reserve officer at the time of death; and

(ii) Certifies that the fire service professional, police officer or reserve officer was killed in the line of duty; and

(E) Include a written statement signed by the surviving spouse affirming that all information contained in the application is true.

(b) A timely application shall be approved if all requirements for the exemption are met.

SECTION 2. This 2016 Act takes effect on the 91st day after the date on which the 2016 regular session of the Seventy-eighth Legislative Assembly adjourns sine die.

Passed by Senate February 19, 2016

.....
Lori L. Brocker, Secretary of Senate

.....
Peter Courtney, President of Senate

Passed by House February 29, 2016

.....
Tina Kotek, Speaker of House

Received by Governor:

.....M,....., 2016

Approved:

.....M,....., 2016

.....
Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2016

.....
Jeanne P. Atkins, Secretary of State