

**A-Engrossed**  
**Senate Bill 526**

Ordered by the Senate March 30  
Including Senate Amendments dated March 30

Sponsored by Senator MESSERLE; Representative KRIEGER

**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.

Eliminates requirement that county treasurer be custodian of moneys of sanitary district.

**A BILL FOR AN ACT**

Relating to moneys of sanitary district; amending ORS 450.005, 450.090, 450.110, 450.115 and 450.175.

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

**SECTION 1.** ORS 450.005 is amended to read:

450.005. As used in ORS 450.005 to 450.245, unless the context requires otherwise:

(1) "District board" means the governing body of a district.

(2) "County board" means the county court or board of county commissioners of the county.

(3) "County" means the county in which the district, or the greater portion of the taxable assessed value of the district or proposed district, is located.

(4) "District" means a sanitary district formed in one or more counties and outside the corporate limits of any city pursuant to ORS 450.005 to 450.245 or pursuant to any law which those sections supersede.

(5) "Owner" means the holder of the record title to real property or the vendee under a land sale contract, if there is such a contract.

(6) "Secretary" means the secretary of the district.

*[(7) "Treasurer" means the treasurer of the county.]*

**SECTION 2.** ORS 450.090 is amended to read:

450.090. *[(1) The county treasurer shall be custodian of all sanitary district funds and shall pay out moneys of the district only upon written order of the board, signed by the president and countersigned by the secretary.]*

*[(2) The order shall specify the name of the person to whom the money is to be paid, the fund from which it is to be paid, and shall state generally the purpose for which payment is to be made.]*

*[(3) The order shall be entered in the minutes of the board. The county treasurer shall keep the order as a voucher and shall keep account of receipts and disbursements of money for the sanitary district.]*

*[(4) Notwithstanding the provisions of subsections (1) to (3) of this section, any] Funds of the district [other than taxes] may be deposited, at the discretion of the **district** board, in one or more [banks or savings and loan associations] **depositories, as defined in ORS 295.005**, to be designated by the **district** board. Funds deposited in a [bank or savings and loan association] **depository** shall*

**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 be withdrawn or paid out only upon proper order and warrant or check signed by the president and  
2 countersigned by the secretary. **The order shall:**

3 **(1) Specify the name of the person to whom the moneys are paid;**

4 **(2) Specify the fund from which the moneys are paid;**

5 **(3) State generally the purpose for which the moneys are paid; and**

6 **(4) Be entered in the minutes of the board.**

7 **SECTION 3.** ORS 450.110 is amended to read:

8 450.110. (1) General obligation or revenue bonds shall be of such denominations as the **district**  
9 board determines, except that no bonds shall be of a denomination greater than \$5,000.

10 (2) All bonds shall be payable in lawful money of the United States [*at the office of the county*  
11 *treasurer,*] **at a place named by the district board**, and shall bear interest at a rate determined  
12 by the **district** board, payable semiannually.

13 **SECTION 4.** ORS 450.115 is amended to read:

14 450.115. The proceeds of the sale of bonds shall be [*deposited with the county treasurer and shall*  
15 *be by the county treasurer placed in the sanitary district fund called the Sewer Construction Fund of*  
16 *\_\_\_\_\_ (naming it) Sanitary*] **paid to the district**. The [*money in the fund*] **proceeds** shall be used  
17 for the purpose indicated in the order calling for election upon the question of the issuance of the  
18 bonds, and for no other purpose. However, if those purposes are entirely fulfilled, any [*balance re-*  
19 *maining in the fund*] **remaining proceeds** shall be used for payment of the principal and interest  
20 of the bonds.

21 **SECTION 5.** ORS 450.175 is amended to read:

22 450.175. (1) Taxes levied under ORS 450.170 shall be collected at the same time and in the same  
23 manner as county taxes are collected, and when collected shall be paid to the [*county treasurer for*  
24 *the account of the*] district.

25 (2) The taxes shall be a lien upon the property against which they are levied in the sanitary  
26 district and shall be of the same force and effect as other liens for taxes. Their collection shall be  
27 enforced by the same means as provided for the enforcement of liens for state and county taxes.  
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