



Legislation Details (With Text)

File #:	18-341	Version:	1	Name:	SB 1573 - City Attorney Memo
Type:	Communication	Status:		Status:	Agenda Ready
File created:	7/11/2018	In control:		In control:	City Commission
On agenda:	7/18/2018	Final action:		Final action:	
Title:	Home Rule Authority, Voter Approval for Annexation and Senate Bill 1573				
Sponsors:					
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Attachments:	1. Staff Report, 2. City Attorney Memo, 3. Senate Bill 1573, 4. City of Corvallis - Benton County Circuit Court Decision				

Date	Ver.	Action By	Action	Result
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Home Rule Authority, Voter Approval for Annexation and Senate Bill 1573

RECOMMENDED ACTION (Motion):

Informational - no action requested.

BACKGROUND:

In 2016, the Oregon Legislature adopted Senate Bill 1573, which requires a city to annex lands without voter approval, notwithstanding any city charter limitation to the contrary in certain cases as identified in the legislation. Concerns have been raised that the City's processing of an annexation pursuant to Senate Bill 1573 is a violation of not only the City Charter, but also the Oregon Constitution, which protects a municipal home rule authority from state inference, in certain cases. This issue is currently the subject of litigation between the Cities of Corvallis and Philomath and the State of Oregon. The attached memorandum from Deputy City Attorney Carrie Richter, dated July 11, 2018, provides a summary of the issues along with an update on the current litigation.