

HOUSE AMENDMENTS TO B-ENGROSSED HOUSE BILL 2234

By COMMITTEE ON REVENUE

June 3

1 On page 1 of the printed B-engrossed bill, line 2, delete “285C.100 and”.

2 In line 3, after “285C.406” insert “, 317.125 and 317.131”.

3 Delete lines 5 through 19 and insert:

4 “**SECTION 1.** ORS 285C.095 is amended to read:

5 “285C.095. (1) A sponsor of an existing enterprise zone may seek to have the zone designated for
6 electronic commerce under this section.

7 “(2) The sponsor shall file an application to have the zone designated for electronic commerce
8 with the Economic and Community Development Department. The application shall be in the form
9 and contain the information that the department by rule may require.

10 “(3) The application shall be accompanied by a copy of a resolution, adopted by the governing
11 body of the sponsor, requesting that the zone be designated for electronic commerce.

12 “(4) The department shall review applications for electronic commerce designation and shall
13 approve no more than [*four*] **10** zones for electronic commerce designation.

14 “(5) The sponsor may by resolution revoke an electronic commerce designation made under this
15 section. If an election is revoked, the sponsor may not subsequently seek reinstatement of electronic
16 commerce designation.

17 “**SECTION 2.** The amendments to ORS 285C.095 by section 1 of this 2005 Act apply to
18 applications for electronic commerce designation that are filed with the Economic and
19 Community Development Department on or after July 1, 2006.”.

20 In line 20, delete “2” and insert “3”.

21 On page 2, delete lines 3 through 37 and insert:

22 “**SECTION 4.** ORS 317.125 is amended to read:

23 “317.125. Notwithstanding any other provision of law creating a tax credit against corporate
24 excise or income taxes, a taxpayer claiming a tax credit under ORS 317.124 may not claim any type
25 of tax credit otherwise authorized by law against **taxes that are otherwise due under this**
26 **chapter that are equal to or less than** the tax credit threshold amount computed under ORS
27 317.124 (7).

28 “**SECTION 5.** The amendments to ORS 317.125 by section 4 of this 2005 Act apply to tax
29 years beginning on or after January 1, 2005.

30 “**SECTION 6.** ORS 317.131 is amended to read:

31 “317.131. (1) For each tax year in which a taxpayer [*claims*] **is allowed** a credit under ORS
32 317.124, the Department of Revenue shall [*make the following distributions*] **distribute** to the local
33 taxing districts in which the facility that is the basis of the credit is located **an amount of tax**
34 **payments that corresponds to the amount of payments deposited under ORS 317.129.[.]**

35 “[*(a) Thirty percent of the tax credit threshold amount computed for the tax year, as determined*”

1 under ORS 317.124 (7); and]

2 “[b] Thirty percent of the qualifying tax liability of the taxpayer under ORS 317.124 that remains
3 following allowance of the tax credit allowed under ORS 317.124.]

4 “(2)(a) Amounts to be distributed under subsection (1) of this section shall be distributed to the
5 local taxing districts of the code area in which the facility is located that are not school districts,
6 education service districts, community college districts or community college service districts.

7 “(b) If the facility is located in more than one code area, amounts to be distributed under **sub-**
8 **section (1) of** this section shall be allocated to each code area in which the facility is located, based
9 on the ratio of the real market value of the facility in each code area to the total real market value
10 of the facility.

11 “(c) The amount distributed to each district under **subsection (1) of** this section shall be the
12 amount that bears the same proportion to the total amount to be distributed under this section as
13 the proportion of the operating tax billing rate of the district receiving distribution bears to the
14 total operating tax billing rate of all of the local taxing districts described in paragraph (a) of this
15 subsection.

16 “(d) Notwithstanding paragraph (b) of this subsection, the amount distributed to a local taxing
17 district under **subsection (1) of** this section for a fiscal year may not exceed the amount of property
18 taxes forgone by that district as a result of the exemption from property tax under ORS 285C.409
19 **in that year.**

20 “(3) If any moneys described in subsection (1) of this section remain following computation of
21 the distributions to local taxing districts under subsection (2) of this section, the moneys shall be
22 distributed to the zone sponsor.

23 “(4) Distributions shall be made under this section on or before June 1 of each fiscal year.

24 “**SECTION 7. The amendments to ORS 317.131 by section 6 of this 2005 Act apply to dis-**
25 **tributions made under ORS 317.131 on or after the effective date of this 2005 Act.”.**

26 In line 38, delete “5” and insert “8”.