

House Bill 3201

Sponsored by Representative NELSON; Representatives BERGER, BRUUN, FLORES, GARRARD, KRUMMEL, G SMITH, Senator FERRIOLI (at the request of Oregon War Veterans Association)

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 **as introduced**.

Creates tax credit for taxpayer that provides full-time residential care to disabled veteran.
Applies to tax years beginning on or after January 1, 2008.

A BILL FOR AN ACT

1
2 Relating to taxation.

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

4 **SECTION 1. Section 2 of this 2007 Act is added to and made a part of ORS chapter 315.**

5 **SECTION 2. (1) As used in this section:**

6 (a) **"Disabled veteran" means a person who:**

7 (A) **Is entitled to disability compensation under laws administered by the United States**
8 **Department of Veterans Affairs; and**

9 (B) **Has a family income that is less than federal poverty guidelines.**

10 (b) **"Residential care" means care described in ORS 443.705 (6) that is provided in a**
11 **homelike environment, by a privately operated facility, to adults who are not related to the**
12 **provider by blood or marriage.**

13 (2) **A credit against the taxes otherwise due under ORS chapter 316 or, if the taxpayer**
14 **is a corporation, under ORS chapter 317 or 318 is allowed to a taxpayer that provides full-**
15 **time residential care to a disabled veteran.**

16 (3) **The amount of the credit allowed under this section equals \$2,500 per disabled veteran**
17 **served by the taxpayer during the tax year. The amount of the credit shall be prorated on**
18 **a monthly basis if the disabled veteran does not receive care from the taxpayer for the entire**
19 **tax year.**

20 (4) **The credit allowed under this section may not exceed the tax liability of the taxpayer**
21 **and may not be carried forward to another tax year.**

22 (5) **In the case of a credit allowed under this section for purposes of ORS chapter 316:**

23 (a) **A nonresident shall be allowed the credit under this section in the proportion provided**
24 **in ORS 316.117.**

25 (b) **If a change in the status of a taxpayer from resident to nonresident or from nonres-**
26 **ident to resident occurs, the credit allowed by this section shall be determined in a manner**
27 **consistent with ORS 316.117.**

28 (c) **If a change in the taxable year of a taxpayer occurs as described in ORS 314.085, or**
29 **if the Department of Revenue terminates the taxpayer's taxable year under ORS 314.440, the**
30 **credit allowed under this section shall be prorated or computed in a manner consistent with**
31 **ORS 314.085.**

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 **SECTION 3.** Section 2 of this 2007 Act applies to residential care provided to disabled
2 veterans in tax years beginning on or after January 1, 2008.
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