

Senate Bill 1043

Sponsored by Senator ATKINSON; Senators GORDLY, KRUSE, MORRISSETTE, STARR, VERGER, Representatives BUCKLEY, GILLIAM, HUNT, MINNIS, OLSON

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 personal income tax credit for contributions to food bank or other charitable organization.

Applies to tax years beginning on or after January 1, 2008.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

Relating to tax credits; and prescribing an effective date.

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

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

SECTION 2. (1)(a) A taxpayer shall be allowed a credit against the taxes otherwise due under ORS chapter 316 for amounts contributed during the tax year to a food bank or other charitable organization.

(b) As used in this subsection, "food bank or other charitable organization" has the meaning given that term in ORS 315.154.

(2) The amount of the credit allowed under subsection (1) of this section shall be the lesser of:

(a) The total contribution, not to exceed \$50 on a separate return and not to exceed \$100 on a joint return; or

(b) The tax liability of the taxpayer.

(3) The credit allowed under this section may not be carried over to another tax year.

(4) The credit allowed under this section is in addition to any charitable contribution deduction allowable to the taxpayer.

(5) A nonresident shall be allowed the credit under this section in the proportion provided in ORS 316.117.

(6) If a change in the status of a taxpayer from resident to nonresident or from nonresident to resident occurs, the credit allowed under this section shall be determined in a manner consistent with ORS 316.117.

(7) A husband and wife who file separate returns for a taxable year may each claim a share of the tax credit that would have been allowed on a joint return in proportion to the contribution of each.

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

SECTION 3. Section 2 of this 2007 Act applies to tax years beginning on or after January

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 1, 2008.

2 **SECTION 4.** This 2007 Act takes effect on the 91st day after the date on which the reg-
3 ular session of the Seventy-fourth Legislative Assembly adjourns sine die.

4
