

**A-Engrossed**  
**House Bill 3414**

Ordered by the House June 23  
Including House Amendments dated June 23

Sponsored by COMMITTEE ON REVENUE

**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 Oregon Charitable Checkoff Commission. Provides that Legislative Assembly shall select entities that are listed on individual income tax forms as eligible for charitable donations made by taxpayers through checkoff.]*

**Adds Oregon Volunteer Firefighters Association to list of entities eligible for individual income tax return checkoff contribution.**

Applies to individual income tax returns for tax years beginning on or after January 1, [2012] **2010.**

Takes effect on 91st day following adjournment sine die.

**A BILL FOR AN ACT**

1  
2 Relating to charitable checkoffs; creating new provisions; amending ORS 305.727; and prescribing  
3 an effective date.

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

5 **SECTION 1.** ORS 305.727 is amended to read:

6 305.727. (1) In addition to the opportunity to be listed on the Oregon individual tax return forms  
7 under ORS 305.725, an entity on the eligibility roster may apply to the commission for listing in the  
8 Department of Revenue instructions for tax return checkoff contribution as provided in this section.

9 (2) In order to qualify for instruction listing, the entity must apply to the commission in the  
10 manner in which an entity applies for listing on the individual tax forms under ORS 305.725.

11 (3) In order to qualify for instruction listing, the entity must meet the qualifications described  
12 in ORS 305.720, collect 10,000 or more signatures from electors of this state attesting that the  
13 electors support the entity qualifying for instruction listing and be:

14 (a) The Oregon Veterans' Home, the Alzheimer's Disease Research Fund, the Oregon Military  
15 Emergency Financial Assistance Fund, **the Oregon Volunteer Firefighters Association** or the  
16 subaccount described in ORS 316.493 for contributions dedicated to the prevention of child abuse  
17 and neglect;

18 (b) A nonprofit organization described in section 501(c)(3) of the Internal Revenue Code with a  
19 gross income of at least \$1 million for the year prior to application; or

20 (c) The central office for a group of affiliated nonprofit organizations with a collective gross  
21 income of at least \$1 million in the year prior to the year of application.

22 (4) The commission shall review applications and approve those that meet the qualifications of  
23 ORS 305.720 and this section. An entity that is approved by the commission shall thereafter qualify  
24 for instruction listing for six years and thereafter must reapply under this section for continued  
25 listing in additional six-year periods, except that an entity that reapplies does not need to collect

**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 10,000 or more signatures.

2 (5) The commission shall certify those entities that are on the eligibility roster and that the  
3 commission has approved in the interim since the last preceding certification to the Department of  
4 Revenue for listing in the instructions to the forms described in ORS 305.710.

5 (6) The department shall include in the instructions to the forms described in ORS 305.710 a list  
6 of entities that have been certified by the commission under this section as of the date the in-  
7 structions for the forms must be prepared.

8 (7) The department shall cause two lines to be included on the Oregon individual tax return  
9 forms following the listing of the entities described in ORS 305.715 (2). These lines may be used by  
10 a taxpayer to designate one **entity** or two entities that have qualified for instruction listing under  
11 this section as the [recipient] **recipients** of [a] checkoff [contribution] **contributions** by the taxpayer.

12 (8) Amounts contributed by charitable checkoff to an instruction-listed entity shall be subject  
13 to and distributed as provided in ORS 305.747.

14 **SECTION 2.** ORS 305.727, as amended by section 7, chapter 822, Oregon Laws 2007, is amended  
15 to read:

16 305.727. (1) In addition to the opportunity to be listed on the Oregon individual tax return forms  
17 under ORS 305.725, an entity on the eligibility roster may apply to the commission for listing in the  
18 Department of Revenue instructions for tax return checkoff contribution as provided in this section.

19 (2) In order to qualify for instruction listing, the entity must apply to the commission in the  
20 manner in which an entity applies for listing on the individual tax forms under ORS 305.725.

21 (3) In order to qualify for instruction listing, the entity must meet the qualifications described  
22 in ORS 305.720, collect 10,000 or more signatures from electors of this state attesting that the  
23 electors support the entity qualifying for instruction listing and be:

24 (a) The Oregon Veterans' Home, the Nongame Wildlife Fund, the Alzheimer's Disease Research  
25 Fund, the Oregon Military Emergency Financial Assistance Fund, **the Oregon Volunteer Fire-**  
26 **fighters Association** or the subaccount described in ORS 316.493 for contributions dedicated to the  
27 prevention of child abuse and neglect;

28 (b) A nonprofit organization described in section 501(c)(3) of the Internal Revenue Code with a  
29 gross income of at least \$1 million for the year prior to application; or

30 (c) The central office for a group of affiliated nonprofit organizations with a collective gross  
31 income of at least \$1 million in the year prior to the year of application.

32 (4) The commission shall review applications and approve those that meet the qualifications of  
33 ORS 305.720 and this section. An entity that is approved by the commission shall thereafter qualify  
34 for instruction listing for six years and thereafter must reapply under this section for continued  
35 listing in additional six-year periods, except that an entity that reapplies does not need to collect  
36 10,000 or more signatures.

37 (5) The commission shall certify those entities that are on the eligibility roster and that the  
38 commission has approved in the interim since the last preceding certification to the Department of  
39 Revenue for listing in the instructions to the forms described in ORS 305.710.

40 (6) The department shall include in the instructions to the forms described in ORS 305.710 a list  
41 of entities that have been certified by the commission under this section as of the date the in-  
42 structions for the forms must be prepared.

43 (7) The department shall cause two lines to be included on the Oregon individual tax return  
44 forms following the listing of the entities described in ORS 305.715 (2). These lines may be used by  
45 a taxpayer to designate one **entity** or two entities that have qualified for instruction listing under

1 this section as the [*recipient*] **recipients** of [*a*] checkoff [*contribution*] **contributions** by the taxpayer.

2 (8) Amounts contributed by charitable checkoff to an instruction-listed entity shall be subject  
3 to and distributed as provided in ORS 305.747.

4 **SECTION 3. The amendments to ORS 305.727 by sections 1 and 2 of this 2009 Act apply**  
5 **to individual income tax returns for tax years beginning on or after January 1, 2010.**

6 **SECTION 4. This 2009 Act takes effect on the 91st day after the date on which the reg-**  
7 **ular session of the Seventy-fifth Legislative Assembly adjourns sine die.**

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