

Enrolled
Senate Bill 498

Sponsored by COMMITTEE ON FINANCE AND REVENUE (at the request of Oregon Bankers Association, Oregon Business Association, Portland Business Alliance, Associated Oregon Industries, Technology Association of America, Smart Growth Coalition, Motion Picture Association of America, Oregon Financial Services Association)

CHAPTER

AN ACT

Relating to retroactivity of laws applied by Department of Revenue; and prescribing an effective date.

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

SECTION 1. Section 2 of this 2009 Act is added to and made a part of ORS chapter 305.

SECTION 2. The Department of Revenue may not apply an administrative rule in a manner that requires a change in the treatment of an item of income or expense, a deduction, exclusion, credit or other particular on a report or return filed by a taxpayer if:

(1) The taxpayer filed the report or return by the date it was due; and

(2) The treatment of the item on the report or return was consistent with an administrative rule adopted and in effect at the time that the report or return was filed.

SECTION 3. Section 2 of this 2009 Act applies to administrative rules adopted or amended by the Department of Revenue on or after the effective date of this 2009 Act.

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

Passed by Senate May 5, 2009

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Secretary of Senate

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President of Senate

Passed by House June 10, 2009

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Speaker of House

Received by Governor:

.....M,....., 2009

Approved:

.....M,....., 2009

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Governor

Filed in Office of Secretary of State:

.....M,....., 2009

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Secretary of State