

House Bill 2980

Sponsored by Representative WINGARD (Pre-session filed.)

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**.

Provides credit against personal income taxes for donations made to schools in support of extracurricular activities.

Applies to tax years beginning on or after January 1, 2012.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to tax credit for donations made to schools; and prescribing an effective date.

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

4 **SECTION 1. Section 2 of this 2011 Act is added to and made a part of ORS chapter 315.**

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

6 (a) **"Donation" means a charitable contribution, as that term is defined in section 170(c)**
7 **of the Internal Revenue Code, that is made to a school.**

8 (b) **"School" means a public or private school for kindergarten through grade 12 pupils.**

9 (2) **A credit against the taxes otherwise due under ORS chapter 316 shall be allowed to**
10 **a taxpayer who during the tax year makes a donation to a school with the purpose and effect**
11 **of supporting extracurricular activities. The credit shall equal the amount of the donation.**

12 (3) **The Department of Revenue shall prescribe by rule criteria for substantiating the**
13 **donation.**

14 (4) **A nonresident shall be allowed the credit under this section in the proportion provided**
15 **under ORS 316.117.**

16 (5) **If a change in the tax year of a taxpayer occurs as described in ORS 314.085, or if the**
17 **Department of Revenue terminates the taxpayer's tax year under ORS 314.440, the credit**
18 **allowed under this section shall be prorated or computed in a manner consistent with ORS**
19 **314.085.**

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

23 **SECTION 3. Section 2 of this 2011 Act applies to tax years beginning on or after January**
24 **1, 2012.**

25 **SECTION 4. This 2011 Act takes effect on the 91st day after the date on which the 2011**
26 **session of the Seventy-sixth Legislative Assembly adjourns sine die.**

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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.