

A-Engrossed
House Bill 3454

Ordered by the House May 31
Including House Amendments dated May 31

Sponsored by COMMITTEE ON REVENUE

Corrected 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.

[For purposes of corporate excise taxation, allows increase in amount deducted as net operating loss carryforward to account for federal adjustments or modifications to taxable income that were disallowed, under Oregon law, in year of loss, less any further Oregon adjustment or modification.]

Provides, for purposes of personal income taxation, that subtraction from federal taxable income is not allowed for amounts included in calculation of Oregon net operating loss.

Applies to tax years beginning on or after January 1, [2011] **2009**.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to net operating losses; and prescribing an effective date.

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

4 **SECTION 1. Sections 2 and 3 of this 2011 Act are added to and made a part of ORS**
5 **chapter 316.**

6 **SECTION 2. Notwithstanding ORS 316.739, a subtraction from federal taxable income is**
7 **not allowed for amounts included in the calculation of an Oregon net operating loss under**
8 **ORS 316.014.**

9 **SECTION 3. If a taxpayer has claimed a subtraction for a previous tax year that is dis-**
10 **allowed under section 2 of this 2011 Act, the taxpayer may comply with section 2 of this 2011**
11 **Act by filing an amended return or by adding to income on the taxpayer's return for the 2011**
12 **tax year the amount of the disallowed subtraction.**

13 **SECTION 4. Sections 2 and 3 of this 2011 Act apply to tax years beginning on or after**
14 **January 1, 2009.**

15 **SECTION 5. This 2011 Act takes effect on the 91st day after the date on which the 2011**
16 **regular 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.