

Senate Bill 57

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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**.

Authorizes Oregon Business Development Commission to use revenue bonds to finance economic development projects that provide for generation, transmission, sale or distribution of electrical energy.

A BILL FOR AN ACT

1
2 Relating to financing for economic development projects; amending ORS 285B.323 and 285B.326.

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

4 **SECTION 1.** ORS 285B.323 is amended to read:

5 285B.323. As used in ORS 285B.320 to 285B.371, unless the context requires otherwise:

6 (1) "Bond" or "revenue bond" means a revenue bond, as defined in ORS 286A.001.

7 (2) "Economic development project" includes any properties, real or personal, used or useful in
8 connection with a revenue producing enterprise, an exempt facility or a nonprofit entity, and vehi-
9 cles, rolling stock or equipment related to an enterprise, facility or entity. [*Economic development*
10 *project does not include any facility or facilities designed primarily for the generation, transmission,*
11 *sale or distribution of electrical energy.*]

12 (3) "Eligible project" means an economic development project found by the Oregon Business
13 Development Commission to meet standards of the commission. [*The commission may treat as a single*
14 *eligible project for bonding purposes any number of economic development projects determined to be*
15 *eligible projects.*]

16 (4) "Exempt facility" means any facility described in section 142(a) of the Internal Revenue Code
17 of 1986, as amended and in effect as of June 30, 2007. If section 142(a) of the Internal Revenue Code
18 of 1986 is amended or altered on or after July 1, 2007, the Oregon Business Development Department
19 may adopt by rule a definition of "exempt facility" that is consistent with section 142(a) of the
20 Internal Revenue Code of 1986 as amended or altered.

21 (5) "Nonprofit entity" means an institution, organization or other entity exempt from taxation
22 under section 501(c)(3) of the Internal Revenue Code of 1986, as amended and in effect as of June
23 30, 2007. If section 501(c)(3) of the Internal Revenue Code of 1986 is amended or altered on or after
24 July 1, 2007, the department may adopt a definition of "nonprofit entity" that is consistent with
25 section 501(c)(3) of the Internal Revenue Code of 1986 as amended or altered.

26 **SECTION 2.** ORS 285B.326 is amended to read:

27 285B.326. (1) Upon determining that an economic development project is an eligible project, the
28 Oregon Business Development Commission shall request that the State Treasurer issue the bonds.

29 **(2) For bonding purposes, the commission may treat any number of economic develop-**
30 **ment projects determined to be eligible projects as a single eligible project.**

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 [(2)] (3) The commission shall collect fees set forth in rules established by the Oregon Business
2 Development Department. Moneys collected under this subsection shall be deposited in the Oregon
3 Business, Innovation and Trade Fund created under ORS 285A.227 and are continuously appropri-
4 ated to the commission for the purpose of administration or funding of the Oregon Industrial De-
5 velopment Revenue Bond and Express Bond Program.

6 [(3)(a)] (4)(a) In addition to the fees described in subsection [(2)] (3) of this section, the com-
7 mission may charge and receive reimbursement for expenses incurred in:

8 (A) The initial review of an application for economic development projects sought to be declared
9 eligible for financing; and

10 (B) Matters arising after the issuance of a bond.

11 (b) Reimbursement for expenses under this subsection shall be charged and received in accord-
12 ance with rules established by the department.

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