

**PROPOSED AMENDMENTS TO  
HOUSE BILL 4067**

1 On page 3 of the printed bill, delete lines 1 through 45 and delete page  
2 4 and insert:

3 “(3) A company that is the owner or lessee of a data center is not a  
4 company described in ORS 308.515 (1) if:

5 “(a) The company has entered into a written tax abatement agreement,  
6 or is entitled by assignment or succession to the benefits of a tax abatement  
7 agreement entered into, with the sponsors of an enterprise zone with respect  
8 to a data center, pursuant to ORS 285C.050 to 285C.250 or 285C.400 to  
9 285C.420; and

10 “(b)(A) The original cost of construction and installation of all real and  
11 tangible personal property owned or leased by the company in Oregon other  
12 than data centers does not equal more than five percent of the original cost  
13 of the real and tangible personal property of all data centers owned, leased  
14 or used by the company in Oregon and all additions to the data center  
15 property; and

16 “(B) The property in Oregon other than data centers described in sub-  
17 paragraph (A) of this paragraph consists of real or tangible personal property  
18 used in the operation of an office or a warehouse or in connection with the  
19 construction, installation or operation of data center property.

20 “(4)(a) Property of a company described in subsection (3) of this section  
21 may not be assessed under ORS 308.505 to 308.665 during the term of an ex-  
22 emption granted pursuant to an agreement described in subsection (3)(a) of

1 this section or during the term of any statutorily authorized extensions of  
2 the exemption, waivers or periods of in lieu payments.

3 “(b) For purposes of the notations required under ORS 285C.175 (7) and  
4 285C.409 (3), the county assessor shall record the real market value, the as-  
5 sessed value and the amount of potential additional taxes as determined  
6 without regard to ORS 308.505 to 308.665.

7 “(5) If a company described in subsection (3) of this section owns or leases  
8 a data center in more than one county in this state, each data center must  
9 satisfy all applicable requirements under subsection (3) of this section.

10 “(6)(a) As used in this section:

11 “(A) ‘Data center’ means an online service data center or an independent  
12 data center.

13 “(B) ‘Independent data center’ means real and personal property consist-  
14 ing of buildings or structures specifically designed or modified to house  
15 networked computers and data and transaction processing equipment and  
16 related infrastructure support equipment, including, without limitation,  
17 power and cooling equipment, used primarily to provide, as a service to  
18 persons other than the company operating the independent data center, data  
19 and transaction processing services, outsource information technology ser-  
20 vices and computer equipment colocation services.

21 “(C) ‘Online service data center’ means real and personal property con-  
22 sisting of buildings or structures specifically designed or modified to house  
23 networked computers and data and transaction processing equipment and  
24 related infrastructure support equipment, including, without limitation,  
25 power and cooling equipment, used primarily to provide, to a single user,  
26 including the user’s affiliates, customers, lessees, vendors and other persons  
27 authorized by the user, data and transaction processing services.

28 “(b) For purposes of this subsection, the primary use of property is based  
29 on the relative proportion of the original cost of property used for all pur-  
30 poses.

1       **“SECTION 4. Section 3 of this 2012 Act applies to property tax years**  
2 **beginning on or after July 1, 2012.**

3       **“SECTION 5. This 2012 Act takes effect on the 91st day after the**  
4 **date on which the 2012 regular session of the Seventy-sixth Legislative**  
5 **Assembly adjourns sine die.”.**

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