

HOUSE AMENDMENTS TO HOUSE BILL 2478

By COMMITTEE ON BUSINESS AND LABOR

March 14

1 In line 2 of the printed bill, delete “amending” and insert “creating new provisions; amending
2 ORS 315.237 and”.

3 In line 3, before the period insert “; and prescribing an effective date”.

4 After line 7, insert:

5 **“SECTION 2.** ORS 315.237 is amended to read:

6 “315.237. (1) As used in this section, ‘qualified scholarship’ means a scholarship **that is used**
7 **to pay expenses of attending a program or institution located in this state and** that meets the
8 criteria set forth or incorporated into the letter of employee and dependent scholarship program
9 certification issued by the Oregon Student Access Commission under ORS 348.618.

10 “(2) A credit against the taxes otherwise due under ORS chapter 316 is allowed to a resident
11 employer (or, if the taxpayer is a corporation that is an employer, under ORS chapter 317 or 318)
12 that has received:

13 “(a) Program certification from the commission under ORS 348.618; and

14 “(b) Tax credit certification under ORS 348.621 for the calendar year in which the tax year of
15 the taxpayer begins.

16 “(3) The amount of the credit allowed to a taxpayer under this section shall equal 50 percent
17 of the amount of qualified scholarship funds actually paid to or on behalf of qualified scholarship
18 recipients during the tax year.

19 “(4) The credit allowed under this section may not exceed the tax liability of the taxpayer for
20 the tax year.

21 “(5) The credit allowed to a taxpayer for a tax year under this section may not exceed \$50,000.

22 “(6) Any tax credit otherwise allowable under this section that is not used by the taxpayer in
23 a particular year may be carried forward and offset against the taxpayer’s tax liability for the next
24 succeeding tax year. Any credit remaining unused in the next succeeding tax year may be carried
25 forward and used in the second succeeding tax year, and likewise any credit not used in that second
26 succeeding tax year may be carried forward and used in the third succeeding tax year, and any
27 credit not used in that third succeeding tax year may be carried forward and used in the fourth
28 succeeding tax year, and any credit not used in that fourth succeeding tax year may be carried
29 forward and used in the fifth succeeding tax year, but may not be carried forward for any tax year
30 thereafter.

31 “(7) In the case of a credit allowed under this section for purposes of ORS chapter 316:

32 “(a) A nonresident shall be allowed the credit under this section in the proportion provided in
33 ORS 316.117.

34 “(b) If a change in the status of a taxpayer from resident to nonresident or from nonresident to
35 resident occurs, the credit allowed by this section shall be determined in a manner consistent with

1 ORS 316.117.

2 “(c) If a change in the taxable year of a taxpayer occurs as described in ORS 314.085, or if the
3 Department of Revenue terminates the taxpayer’s taxable year under ORS 314.440, the credit al-
4 lowed under this section shall be prorated or computed in a manner consistent with ORS 314.085.

5 “(8) The credit shall be claimed on the form and in the time and manner in which the depart-
6 ment shall prescribe. If the taxpayer is required to do so by the department, the taxpayer shall file
7 a copy of the letter of tax credit certification issued by the commission with the taxpayer’s return
8 for the tax year in which a credit under this section is claimed.

9 **“SECTION 3. The amendments to ORS 315.237 by section 2 of this 2013 Act apply to tax**
10 **years beginning on or after January 1, 2014.**

11 **“SECTION 4. This 2013 Act takes effect on the 91st day after the date on which the 2013**
12 **regular session of the Seventy-seventh Legislative Assembly adjourns sine die.”.**

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