

House Bill 3084

Sponsored by Representative KENNEMER (at the request of Daniel O. Stearns, USTPC, EA, LTC)

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**.

Requires Department of Revenue to enter into agreement with taxpayer to satisfy tax liability in installment payments if taxpayer's total tax liability is \$25,000 or less. Provides that term of agreement shall be five years.

A BILL FOR AN ACT

1
2 Relating to installment payments of tax liability; amending ORS 305.890.

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

4 **SECTION 1.** ORS 305.890 is amended to read:

5 305.890. (1) A taxpayer shall have the right to enter into a written agreement with the Depart-
6 ment of Revenue to satisfy liability for payment of any tax in installment payments:

7 **(a) If the taxpayer's total tax liability is \$25,000 or less, in which case the term of the**
8 **agreement shall be five years; or**

9 **(b) If the Director of the Department of Revenue determines that the agreement will facilitate**
10 **collection of such liability.**

11 (2) Except as otherwise provided in this section, any agreement entered into by the director
12 under this section shall remain in effect for the term of the agreement.

13 (3) The director may terminate any agreement entered into by the director under this section
14 if:

15 (a) Any information that the taxpayer provided to the director prior to the date the agreement
16 was entered into was inaccurate or incomplete; or

17 (b) The director believes that collection of any tax to which an agreement under this section
18 relates is in jeopardy.

19 (4) If the director makes a determination that the financial condition of the taxpayer with whom
20 the director has entered into an agreement under this section has significantly changed, the director
21 may alter, modify or terminate the agreement. Action may be taken by the director under this sub-
22 section only if:

23 (a) Notice of such determination is provided to the taxpayer within 30 days prior to the date
24 of such action; and

25 (b) Such notice includes the reasons why the director believes a significant change in the fi-
26 nancial condition of the taxpayer has occurred.

27 (5) The director may alter, modify or terminate an agreement entered into by the director under
28 this section in the case of the failure of the taxpayer to:

29 (a) Pay any installment at the time such installment payment is due under such agreement;

30 (b) Pay any other tax liability at the time such liability is due; or

31 (c) Provide a financial condition update as requested by the director.

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.

