

**PROPOSED AMENDMENTS TO  
HOUSE BILL 2478**

1 In line 2 of the printed bill, delete “amending” and insert “creating new  
2 provisions; amending 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  
7 scholarship **that is used to pay expenses of attending a program or in-**  
8 **stitution located in this state and** that meets the criteria set forth or in-  
9 corporated into the letter of employee and dependent scholarship program  
10 certification issued by the Oregon Student Access Commission under ORS  
11 348.618.

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

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

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

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

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

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

3       “(6) Any tax credit otherwise allowable under this section that is not used  
4 by the taxpayer in a particular year may be carried forward and offset  
5 against the taxpayer’s tax liability for the next succeeding tax year. Any  
6 credit remaining unused in the next succeeding tax year may be carried  
7 forward and used in the second succeeding tax year, and likewise any credit  
8 not used in that second succeeding tax year may be carried forward and used  
9 in the third succeeding tax year, and any credit not used in that third suc-  
10 ceeding tax year may be carried forward and used in the fourth succeeding  
11 tax year, and any credit not used in that fourth succeeding tax year may be  
12 carried forward and used in the fifth succeeding tax year, but may not be  
13 carried forward for any tax year thereafter.

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

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

18       “(b) If a change in the status of a taxpayer from resident to nonresident  
19 or from nonresident to resident occurs, the credit allowed by this section  
20 shall be determined in a manner consistent with ORS 316.117.

21       “(c) If a change in the taxable year of a taxpayer occurs as described in  
22 ORS 314.085, or if the Department of Revenue terminates the taxpayer’s  
23 taxable year under ORS 314.440, the credit allowed under this section shall  
24 be prorated or computed in a manner consistent with ORS 314.085.

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

30       “**SECTION 3. The amendments to ORS 315.237 by section 2 of this**

1 **2013 Act apply to tax years beginning on or after January 1, 2014.**

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

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