

Top 100 Tax Payers – HB 2077-4

The Department is neutral on this amendment but I would like to bring to your attention some language that is new, somewhat confusing or could present administrative issues.

Issues with this language:

- Information on property taxes is not on the “tax return filed with the department”. Since that is the only place we can obtain this information, according to Section 1(1) then apparently it is not includable.
- Property taxes and property tax accounts do not identify nor is it ascertainable whether an account is associated with a C corporation.
- The Section 1(3) requirement for the department to provide the Legislative Revenue Office the property taxes paid by each of the top 100 taxpayers is problematic. The department does not have information on property tax liability or property taxes paid. That is a county function and would only be in county records.

References in the amendment for the comments above:

- Section 1(1) states that the information for the report is to be obtained from returns.
- Section 1(2)(a) limits the report information to C corporations.
- Section 1(2)(d)(D) requires the information to be reported as a top 100 in 4 categories. The last category is “Oregon tax liability”.
- Section (1)(3) requires specific information on each of the top 100. This is to include the taxpayer’s Oregon tax liability in (e) and in (f) any other taxes including property taxes. I assume that since (e) and (f) are spelled out separately I can assume that (e) does not include the listed taxes in (f). If that is true then the required 4 categories for the top 100 companies in (2)(d) (A) through (D) do not include the property tax.