

House Bill 2940

Sponsored by COMMITTEE ON REVENUE

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 certain information regarding businesses that are allowed property tax exemptions to be submitted to Oregon Department of Administrative Services for posting on Oregon transparency website and to Oregon Business Development Department for reporting during odd-year regular sessions to House and Senate committees related to revenue.

Applies to property tax years beginning on or after July 1, 2016.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to information regarding businesses that are allowed property tax exemptions; creating new
3 provisions; amending ORS 184.484; and prescribing an effective date.

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

5 **SECTION 1.** ORS 184.484 is amended to read:

6 184.484. (1) For each statute authorizing a tax expenditure that has a purpose connected to
7 economic development and is listed in subsection (2) of this section, the state agency charged with
8 certifying or otherwise administering the tax expenditure shall submit a report to the Oregon De-
9 partment of Administrative Services. If no agency is authorized by statute, or if the statute does not
10 provide for certification or administration of the tax expenditure, the Department of Revenue shall
11 submit the report.

12 (2) This section applies to:

13 (a) ORS 285C.175, 285C.309, 285C.362, 307.123, 307.455, 307.462, 315.141, 315.331, 315.336, 315.341,
14 315.507, 315.514, 315.533, 316.698, 316.778, 317.124, 317.391 and 317.394.

15 (b) Grants awarded under ORS 469B.256 in any tax year in which certified renewable energy
16 contributions are received as provided in ORS 315.326.

17 (c) ORS 315.354 except as applicable in ORS 469B.145 (2)(a)(L) or (N).

18 (d) ORS 316.116, if the allowed credit exceeds \$2,000.

19 (3) The following information, if it is already available in an existing database maintained by the
20 agency, must be included in the report required under this section:

21 (a) The name of each taxpayer or applicant approved for the allowance of a tax expenditure or
22 a grant award under ORS 469B.256.

23 (b) The address of each taxpayer or applicant.

24 (c) The total amount of credit against tax liability, reduction in taxable income or exemption
25 from property taxation granted to each taxpayer or applicant.

26 (d) Specific outcomes or results required by the tax expenditure program and information about
27 whether the taxpayer or applicant meets those requirements. This information shall be based on data
28 already collected and analyzed by the agency in the course of administering the tax expenditure.
29 Statistics must be accompanied by a description of the methodology employed in their generation.

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.

1 (e) An explanation of the agency's certification decision for each taxpayer or applicant, if ap-
 2 plicable.

3 (f) Any additional information submitted by the taxpayer or applicant and relied upon by the
 4 agency in its certification determination.

5 (g) Any other information that agency personnel deem valuable as providing context for the in-
 6 formation described in this subsection.

7 **(4)(a) This subsection applies to property taxpayers that:**

8 **(A) Are allowed property tax exemptions for property under ORS 285C.170, 285C.175,**
 9 **285C.362, 285C.409, 307.123, 307.455 or 307.462; and**

10 **(B) Own, directly or indirectly, property in this state having in aggregate a real market**
 11 **value of \$10 million or more.**

12 **(b) In addition to the information described in subsections (3) and (7) of this section, the**
 13 **agencies described in subsection (1) of this section shall submit the information described in**
 14 **paragraph (c) of this subsection to:**

15 **(A) The Oregon Department of Administrative Services in each even-numbered year for**
 16 **posting on the Oregon transparency website, in the manner required under subsection (6)**
 17 **of this section; and**

18 **(B) The Oregon Business Development Department, which shall report the information**
 19 **to the House and Senate committees related to revenue during each odd-numbered year**
 20 **regular session of the Legislative Assembly.**

21 **(c) The information referred to in paragraph (b) of this subsection is:**

22 **(A) The total value of property that the property taxpayer owns or controls in this state.**

23 **(B) The total value of exempt property that the property taxpayer owns or controls in**
 24 **this state.**

25 **(C) The total amount of property taxes that the property taxpayer did not pay each year**
 26 **because of the exemption.**

27 **(D) The number, type and duration of jobs created in this state by the property taxpayer**
 28 **due to the exemptions listed in paragraph (a)(A) of this subsection and the state residency**
 29 **of new employees at the time of hire and for the six months immediately preceding hire.**

30 **(E) The number, type and duration of jobs retained in this state by the property taxpayer**
 31 **due to the exemptions listed in paragraph (a)(A) of this subsection. For purposes of this**
 32 **subparagraph, if job creation is a requirement of the allowance of the property tax ex-**
 33 **emption, a retained job is a permanent job that has existed for at least three months prior**
 34 **to the beginning of the property tax year in which the property tax exemption is received**
 35 **by the property taxpayer and the duties of which have not been substantially changed as a**
 36 **result of changes in business due the property tax exemption.**

37 **[(4)] (5) The information reported under [subsection (3)] subsections (3) and (4) of this section**
 38 **may not include proprietary information or information that is exempt from disclosure under ORS**
 39 **192.410 to 192.505 or 314.835.**

40 **[(5)] (6) No later than September 30 of each year, agencies described in subsection (1) of this**
 41 **section shall submit to the Oregon Department of Administrative Services the information required**
 42 **under [subsection (3)] subsections (3) and (4) of this section as applicable to applications for al-**
 43 **lowance of tax expenditures approved by the agency during the agency fiscal year ending during the**
 44 **current calendar year. The information shall then be posted on the Oregon transparency website**
 45 **required under ORS 184.483 no later than December 31 of the same year.**

1 [(6)] (7) In addition to the information described in [subsection (3)] **subsections (3) and (4)** of
 2 this section, the Oregon Department of Administrative Services shall post on the Oregon transpar-
 3 ency website copies of all reports that the department, the Department of Revenue or the Oregon
 4 Business Development Department receives from counties and other local governments relating to
 5 properties in enterprise zones that have received tax exemptions under ORS 285C.170, 285C.175 or
 6 285C.409, or that are eligible for tax exemptions under ORS 285C.309, 315.507 or 317.124 by reason
 7 of being in an enterprise zone. The reports shall be submitted to the Oregon Department of Admin-
 8 istrative Services in a manner and format prescribed by the department.

9 [(7)] (8) The information described in this section that is available on the Oregon transparency
 10 website must be accessible in the format and manner required by the Oregon Department of Ad-
 11 ministrative Services.

12 [(8)] (9) The information described in this section shall be furnished to the Oregon transparency
 13 website by posting reports and providing links to existing information systems applications in ac-
 14 cordance with standards established by the Oregon Department of Administrative Services.

15 **SECTION 2. The amendments to ORS 184.484 by section 1 of this 2015 Act apply to**
 16 **property tax years beginning on or after July 1, 2016.**

17 **SECTION 3. This 2015 Act takes effect on the 91st day after the date on which the 2015**
 18 **regular session of the Seventy-eighth Legislative Assembly adjourns sine die.**

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