

House Bill 3029

Sponsored by Representative PARRISH; Representative EVANS

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**.

Creates subtraction from federal taxable income for benefits paid to surviving spouse or dependent child of service member.

Applies to tax years beginning on or after January 1, 2015.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to a tax subtraction for military survivor benefits; and prescribing an effective date.

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

4 **SECTION 1. Section 2 of this 2015 Act is added to and made a part of ORS chapter 316.**

5 **SECTION 2. (1) As used in this section:**

6 (a) "Blind" and "disability" have the meanings given those terms in ORS 411.704.

7 (b) "Qualifying benefit" means amounts paid to the surviving spouse or dependent child
8 of a service member under 10 U.S.C. 1448 or 1450, to the extent that those amounts are in-
9 cluded in the taxpayer's federal taxable income.

10 (2) If the taxpayer is blind or has a disability, there shall be subtracted from federal
11 taxable income the total amount of any qualifying benefit received by the taxpayer during
12 the tax year.

13 (3) If the taxpayer is not blind and has no disability, there shall be subtracted from fed-
14 eral taxable income:

15 (a) The total amount of any qualifying benefit received by the taxpayer during the tax
16 year that is less than or equal to \$30,000; and

17 (b) Fifty percent of any qualifying benefit received by the taxpayer during the tax year
18 that is in excess of \$30,000.

19 (4) The Department of Veterans' Affairs, in consultation with the Department of Re-
20 venue, shall by rule establish criteria and policies for the administration of this section.

21 **SECTION 3. Section 2 of this 2015 Act applies to tax years beginning on or after January
22 1, 2015.**

23 **SECTION 4. This 2015 Act takes effect on the 91st day after the date on which the 2015
24 regular session of the Seventy-eighth Legislative Assembly adjourns sine die.**

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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.