

Senate Bill 635

Sponsored by Senator KNOPP, Representatives WHISNANT, WEIDNER, HACK; Senators BAERTSCHIGER JR, FERRIOLI, GIROD, HANSELL, KRUSE, OLSEN, THATCHER, THOMSEN, WHITSETT, Representatives BARRETO, BENTZ, ESQUIVEL, HAYDEN, HUFFMAN, KRIEGER, MCLANE, NEARMAN, POST, SMITH, SPRENGER, WHITSETT, WILSON

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**.

Provides that Oregon estate tax is not due unless value of Oregon taxable estate equals or exceeds \$5 million. Raises threshold for filing of estate tax return to gross estate valued at or more than \$5 million. Phases in increase beginning with estates of decedents who die on or after January 1, 2016.

A BILL FOR AN ACT

1
2 Relating to estate tax; creating new provisions; and amending ORS 118.160.

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 118.**

5 **SECTION 2. Notwithstanding ORS 118.010 (4), no tax is due under this chapter with re-**
6 **spect to the estates of decedents who die on or after:**

7 (1) **January 1, 2016, and before January 1, 2017, unless the value of the Oregon taxable**
8 **estate is \$2 million or more;**

9 (2) **January 1, 2017, and before January 1, 2018, unless the value of the Oregon taxable**
10 **estate is \$3 million or more;**

11 (3) **January 1, 2018, and before January 1, 2019, unless the value of the Oregon taxable**
12 **estate is \$4 million or more; or**

13 (4) **January 1, 2019, unless the value of the Oregon taxable estate is \$5 million or more.**

14 **SECTION 3. ORS 118.160 is amended to read:**

15 118.160. (1) Except as provided in subsection (2) of this section:

16 (a) An inheritance tax return is not required with respect to the estates of decedents who die
17 on or after January 1, 1987, and before January 1, 2003, unless a federal estate tax return is re-
18 quired to be filed;

19 (b) An inheritance tax return is not required with respect to the estates of decedents who die
20 on or after:

21 (A) January 1, 2003, and before January 1, 2004, unless the value of the gross estate is \$700,000
22 or more;

23 (B) January 1, 2004, and before January 1, 2005, unless the value of the gross estate is \$850,000
24 or more;

25 (C) January 1, 2005, and before January 1, 2006, unless the value of the gross estate is \$950,000
26 or more; or

27 (D) January 1, 2006, and before January 1, 2012, unless the value of the gross estate is \$1 million
28 or more; and

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 (c) An estate tax return is not required with respect to the estates of decedents who die on or
2 after:

3 (A) January 1, 2012, and before January 1, 2016, unless the value of the gross estate is \$1
4 million or more[.];

5 (B) January 1, 2016, and before January 1, 2017, unless the value of the gross estate is
6 \$2 million or more;

7 (C) January 1, 2017, and before January 1, 2018, unless the value of the gross estate is
8 \$3 million or more;

9 (D) January 1, 2018, and before January 1, 2019, unless the value of the gross estate is
10 \$4 million or more; or

11 (E) January 1, 2019, unless the value of the gross estate is \$5 million or more.

12 (2) In every estate, whether or not subject to administration and whether or not a federal estate
13 tax return is required to be filed, the executor shall at such times and in such manner as required
14 by rules of the Department of Revenue, file with the department a return in a form provided by the
15 department setting forth a list and description of all transfers of property, in trust or otherwise,
16 made by the decedent in the lifetime of the decedent as a division or distribution of the estate of
17 the decedent and any further data that the department requires to determine estate tax under this
18 chapter.

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