

**PROPOSED AMENDMENTS TO
SENATE BILL 570**

1 In line 2 of the printed bill, after the semicolon insert “creating new
2 provisions; amending ORS 308.505;”.

3 Delete lines 4 through 13 and insert:

4 **“SECTION 1. Section 2 of this 2015 Act is added to and made a part
5 of ORS 308.505 to 308.665.**

6 **“SECTION 2. (1)(a)(A) Property of a company subject to assessment
7 under ORS 308.505 to 308.665 shall be granted an exemption in the
8 amount of the positive value, if any, arrived at by subtracting from
9 the real market value of the company’s real property and tangible and
10 intangible personal property included in the unit subject to central
11 assessment an amount equal to 130 percent of the historical or original
12 cost less depreciation of the company’s real property and tangible
13 personal property included in the unit subject to central assessment.**

14 **“(B) For purposes of the computation under this paragraph, depre-
15 ciation shall be allowed in an amount determined according to forms
16 filed with the Department of Revenue pursuant to rules adopted by the
17 department.**

18 **“(b) Notwithstanding paragraph (a) of this subsection, an exemption
19 granted under this section may not exceed an amount equal to 90
20 percent of the real market value of the company’s real property and
21 tangible and intangible personal property included in the unit subject
22 to central assessment.**

1 **“(2)(a) If the property of a company is granted an exemption under**
2 **this section for a property tax year:**

3 **“(A) The exemption under ORS 307.126 for licenses granted by the**
4 **Federal Communications Commission is included in the exemption**
5 **granted under this section and may not otherwise be granted or cred-**
6 **ited to the property of the company or the company.**

7 **“(B) The property is not eligible for any other exemption from ad**
8 **valorem property taxation for the property tax year.**

9 **“(b) Notwithstanding paragraph (a) of this subsection, an exemption**
10 **granted under this section for a property tax year has no effect on the**
11 **benefits that the property of the company or the company may be**
12 **granted under ORS chapter 285C and ORS 307.123 for the property tax**
13 **year.**

14 **“SECTION 3.** ORS 308.505 is amended to read:

15 “308.505. As used in ORS 308.505 to 308.665:

16 “(1) ‘Car’ or ‘railcar’ means a vehicle adapted to the rails of a railroad.

17 “(2) ‘Centrally assessed’ means the assessment of property by the Depart-
18 ment of Revenue under ORS 308.505 to 308.665.

19 “(3) ‘Communication’ includes telephone communication and data trans-
20 mission services by whatever means provided.

21 **“(4) ‘Historical or original cost’ means all costs incurred by a com-**
22 **pany in placing property in service for the property’s intended use by**
23 **the company, including, but not limited to, purchase price, freight,**
24 **engineering fees, legal fees, materials, labor, overhead, taxes, interest**
25 **and other fees, expenses and charges related to construction or in-**
26 **stallation.**

27 “[(4)] (5) ‘Inland water’ means all water or waters within the State of
28 Oregon, all interstate rivers touching Oregon and all tidewaters extending
29 to the ocean bars.

30 “[(5)] (6) ‘Interstate’ means transit between the State of Oregon and:

1 “(a) Another state;

2 “(b) A district, territory or possession of the United States; or

3 “(c) A foreign country.

4 “[(6)] (7) ‘Large private railcar company’ means a private railcar company
5 with personal property with a real market value for the tax year that exceeds
6 \$1 million.

7 “[(7)] (8) ‘Locally assessed’ means the assessment of property for property
8 tax purposes by the county assessor that is not conducted under ORS 308.505
9 to 308.665.

10 “[(8)] (9) ‘Person,’ ‘company,’ ‘corporation’ or ‘association’ means any
11 person, group of persons, whether organized or unorganized, firm, joint stock
12 company, association, cooperative or mutual organization, people’s utility
13 district, joint operating agency as defined in ORS 262.005, syndicate, entity
14 formed to partner or combine public and private interests, partnership or
15 corporation engaged in performing or maintaining any business or service
16 or in selling any commodity as set forth in ORS 308.515, whether or not the
17 activity is pursuant to any franchise and whether or not the person or other
18 entity or combination of entities possesses characteristics of limited or un-
19 limited liability.

20 “[(9)] (10) ‘Property’:

21 “(a) Means all property of any kind, whether real, personal, tangible or
22 intangible, that is used or held by a company as owner, occupant, lessee or
23 otherwise, for the performance or maintenance of a business or service or for
24 the sale of a commodity, as described in ORS 308.515;

25 “(b) Includes, but is not limited to, the lands and buildings, rights of way,
26 roadbed, water powers, vehicles, cars, rolling stock, tracks, office furniture,
27 telephone and transmission lines, poles, wires, conduits, switchboards, ma-
28 chinery, appliances, appurtenances, docks, watercraft irrespective of the
29 place of registry or enrollment, merchandise, inventories, tools, equipment,
30 machinery, franchises and special franchises, work in progress and all other

1 goods or chattels; and

2 “(c) Does not include items of intangible property that represent:

3 “(A) Claims on other property, including money at interest, bonds, notes,
4 claims, demands or any other evidence of indebtedness, secured or unsecured;
5 or

6 “(B) Any shares of stock in corporations, joint stock companies or asso-
7 ciations.

8 “[~~(10)~~] (11) ‘Property having situs in this state’ means all property, real
9 and personal, of a company, owned, leased, used, operated or occupied by it
10 and situated wholly within this state, and, as determined under ORS 308.550
11 and 308.640, the proportion of the movable, transitory or migratory personal
12 property owned, leased, used, operated or occupied by a company, including
13 but not limited to watercraft, aircraft, rolling stock, vehicles and con-
14 struction equipment, as is used partly within and partly outside of this state.

15 “[~~(11)~~] (12) ‘Small private railcar company’ means a private railcar com-
16 pany with personal property with a real market value for the tax year that
17 does not exceed \$1 million.

18 “[~~(12)~~] (13) ‘Transportation’ means carrying, conveying or moving pas-
19 sengers or property from one place to another.

20 “[~~(13)~~] (14) ‘Vehicle’ means any wheeled or tracked device used in trans-
21 portation under, on or in connection with the physical surface of the earth.

22 **“SECTION 4. ORS 307.126 is added to and made a part of ORS 308.505
23 to 308.665.**

24 **“SECTION 5. Section 2 of this 2015 Act and the amendments to ORS
25 308.505 by section 3 of this 2015 Act apply to property tax years begin-
26 ning on or after July 1, 2016.**

27 **“SECTION 6. This 2015 Act takes effect on the 91st day after the
28 date on which the 2015 regular session of the Seventy-eighth Legisla-
29 tive Assembly adjourns sine die.”.**

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