

**SB 28 A STAFF MEASURE SUMMARY**

**Carrier:** Rep. Barnhart

**House Committee On Revenue**

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**Action Date:** 06/08/17

**Action:** Do Pass.

**Vote:** 7-0-2-0

**Yeas:** 7 - Barnhart, Buehler, Hernandez, Johnson, Marsh, Nosse, Smith Warner

**Exc:** 2 - Bentz, Smith G

**Fiscal:** No fiscal impact

**Revenue:** Revenue impact issued

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**WHAT THE MEASURE DOES:**

Changes the corporation apportionment method for income from intangibles and services. Moves Oregon from the cost-of-performance method to the market-based method. Applies to corporations subject to the Uniform Division of Income for Tax Purposes Act (UDITPA); excludes utilities and financial institutions. Applies to tax years beginning on or after January 1, 2018.

**ISSUES DISCUSSED:**

- Alignment with policy of single sales factor apportionment
- Impact on competitiveness for Oregon companies
- Impact on tax complexity
- Vote requirements

**EFFECT OF AMENDMENT:**

No amendment.

**BACKGROUND:**

Current law requires income from intangibles and services to be apportioned to Oregon using the cost-of-performance (COP) approach. For purposes of determining which sales are included in the sales factor (to apportion income), the COP method assigns sales according to where production costs are incurred. All sales are assigned to the state where the largest share of production costs were incurred. This bill would change that policy to one where sales are proportionately assigned to states where sales occur.