

House Bill 2067

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim 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**.

Removes Guatemala from list of jurisdictions of incorporation for which income must be included on Oregon corporate excise tax return, if corporation is member of unitary group with Oregon corporation.

Applies to tax years beginning on or after January 1, 2018.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to tax reporting of multinational corporations; creating new provisions; amending ORS
3 317.716; and prescribing an effective date.

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

5 **SECTION 1.** ORS 317.716 is amended to read:

6 317.716. (1)(a) For purposes of determining Oregon taxable income, the taxable income or loss
7 of any corporation that is a member of a unitary group or that is a corporation that files a separate
8 return and that is incorporated in any of the jurisdictions listed in paragraph (b) of this subsection
9 shall be added to the federal consolidated taxable income of the unitary group filing a consolidated
10 Oregon return or to the federal taxable income of the corporation filing a separate return.

11 (b) This section applies to Andorra, Anguilla, Antigua and Barbuda, Aruba, the Bahamas,
12 Bahrain, Barbados, Belize, Bermuda, Bonaire, the British Virgin Islands, the Cayman Islands, the
13 Cook Islands, Curacao, Cyprus, Dominica, Gibraltar, Grenada, [*Guatemala*,] Guernsey-Sark-Alderney,
14 the Isle of Man, Jersey, Liberia, Liechtenstein, Luxembourg, Malta, the Marshall Islands, Mauritius,
15 Montserrat, Nauru, Niue, Saba, Samoa, San Marino, Seychelles, Sint Eustatius, Sint Maarten, St.
16 Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, Trinidad and Tobago, the Turks and
17 Caicos Islands, the U.S. Virgin Islands and Vanuatu.

18 (2) Nothing in subsection (1)(a) of this section precludes either a taxpayer or the Department
19 of Revenue from asserting that the provisions of ORS 314.667 apply.

20 (3) The department shall adopt rules:

21 (a) To determine the computation of income or loss for a corporation that is a member of a
22 unitary group and that is not otherwise required to file a consolidated federal return.

23 (b) To prevent double taxation or double deduction of any amount included in the computation
24 of income under this section.

25 (c) To implement this section.

26 **SECTION 2.** The amendments to ORS 317.716 by section 1 of this 2017 Act apply to tax
27 years beginning on or after January 1, 2018.

28 **SECTION 3.** This 2017 Act takes effect on the 91st day after the date on which the 2017
29 regular session of the Seventy-ninth Legislative Assembly adjourns sine die.

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.

