

# Senate Bill 156

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## 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**.

Requires Department of Revenue, in consultation with Department of Transportation, to determine quarterly amount of corporate minimum tax revenue attributable to Oregon sales of motor vehicle fuel and to pay amount over to State Treasurer for deposit in State Highway Fund.

Takes effect on 91st day following adjournment sine die.

## A BILL FOR AN ACT

1  
2 Relating to revenue from Oregon sales of motor vehicle fuel; creating new provisions; amending ORS  
3 317.850 and 366.505; and prescribing an effective date.

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

5 **SECTION 1. Section 2 of this 2017 Act is added to and made a part of ORS chapter 317.**

6 **SECTION 2. As soon as practicable after the end of each fiscal quarter:**

7 (1) **The Department of Revenue, in consultation with the Department of Transportation,**  
8 **shall determine the amount of revenue collected pursuant to ORS 317.090 that is attributable**  
9 **to Oregon sales of motor vehicle fuel.**

10 (2) **The Department of Revenue shall pay over to the State Treasurer the amount deter-**  
11 **mined under subsection (1) of this section for deposit in the State Highway Fund established**  
12 **under ORS 366.505.**

13 **SECTION 3. ORS 317.850 is amended to read:**

14 317.850. **After payments required under section 2 of this 2017 Act and deduction of re-**  
15 **funds,** the net revenue from the tax imposed by this chapter[, *after deduction of refunds,*] shall be  
16 paid over to the State Treasurer and held in the General Fund as miscellaneous receipts available  
17 generally to meet any expense or obligation of the State of Oregon lawfully incurred. A working  
18 balance of unreceipted revenue from the tax imposed by this chapter may be retained for the pay-  
19 ment of refunds, but such working balance [*shall*] **may** not at the close of any fiscal year exceed the  
20 sum of \$500,000.

21 **SECTION 4. ORS 366.505 is amended to read:**

22 366.505. (1) The State Highway Fund shall consist of:

23 (a) All moneys and revenues derived under and by virtue of the sale of bonds, the sale of which  
24 is authorized by law and the proceeds thereof to be dedicated to highway purposes.

25 (b) All moneys and revenues accruing from the licensing of motor vehicles, operators and  
26 chauffeurs.

27 (c) Moneys and revenues derived from any tax levied [*upon gasoline, distillate, liberty fuel or*  
28 *other volatile and inflammable liquid fuels,*] **on, with respect to or measured by the storage,**  
29 **withdrawal, use, sale, distribution, importation or receipt of motor vehicle fuel or any other**

**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 **product used for the propulsion of motor vehicles**, except moneys and revenues described in ORS  
2 184.642 (2)(a) that become part of the Department of Transportation Operating Fund.

3 (d) Moneys and revenues derived from the road usage charges imposed under ORS 319.885.

4 (e) Moneys and revenues derived from or made available by the federal government for road  
5 construction, maintenance or betterment purposes.

6 (f) All moneys and revenues received from all other sources which by law are allocated or ded-  
7 icated for highway purposes.

8 (2) The State Highway Fund shall be deemed and held as a trust fund, separate and distinct from  
9 the General Fund, and may be used only for the purposes authorized by law and is continually ap-  
10 propriated for such purposes.

11 (3) Moneys in the State Highway Fund may be invested as provided in ORS 293.701 to 293.857.  
12 All interest earnings on any of the funds designated in subsection (1) of this section shall be placed  
13 to the credit of the highway fund.

14 **SECTION 5. This 2017 Act takes effect on the 91st day after the date on which the 2017**  
15 **regular session of the Seventy-ninth Legislative Assembly adjourns sine die.**

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