

SENATE AMENDMENTS TO SENATE BILL 333

By COMMITTEE ON BUSINESS AND TRANSPORTATION

April 24

- 1 On page 1 of the printed bill, line 8, after “jobs” insert “typically”.
- 2 Delete lines 23 through 30.
- 3 On page 2, delete lines 1 through 39 and insert:
- 4 “**SECTION 2.** ORS 285B.626 is amended to read:
- 5 “285B.626. As used in ORS 285B.625 to 285B.632:
- 6 “(1) ‘Compensation’ has the meaning given that term pursuant to rules adopted by the Oregon
7 Business Development Department.
- 8 “(2) ‘Eligible employer’ means an employer that:
- 9 “(a) [*Has entered into a contract with a project sponsor to conduct a business in the traded sector*
10 *industry*] **Is conducting a traded sector business** on a regionally significant industrial site; and
11 “(b)(A) **With respect to a rural site**, has hired **at least 25** full-time employees [*who are resi-*
12 *dents of this state and*] whose compensation averages at least 150 percent of the county or state
13 average wage, whichever is less; **or**
- 14 “(B) **With respect to an urban site**, has hired **at least 50 full-time employees whose**
15 **compensation averages at least 150 percent of the county or state average wage, whichever**
16 **is less.**
- 17 “[*(3) ‘Estimated incremental income tax revenues’ means the Oregon personal income tax revenues*
18 *that are estimated pursuant to ORS 285B.630 to be substantially equivalent to the amount of tax that*
19 *employees of an eligible employer who are hired after the eligible employer enters into a contract with*
20 *a qualified project sponsor to conduct a traded sector business on a certified regionally significant in-*
21 *dustrial site will be required to pay under ORS chapter 316 as a result of compensation paid to the*
22 *employees by the eligible employer in the tax years beginning with the tax year following the fifth tax*
23 *year in which a project sponsor was qualified under ORS 285B.627.]*
- 24 “(3) **‘Estimated incremental income tax revenues’ means the Oregon personal income tax**
25 **revenues that are equivalent to the amount of tax that employees of an eligible employer**
26 **who are hired by the eligible employer on a designated regionally significant industrial site**
27 **have paid under ORS chapter 316 in the tax years following the first tax year in which the**
28 **eligible employer begins conducting a traded sector business on the designated regionally**
29 **significant industrial site.**
- 30 “(4) ‘Industrial use’ means employment activities, including but not limited to manufacturing,
31 assembly, fabrication, processing, storage, logistics, warehousing, importation, distribution, trans-
32 shipment and research and development, that generate income from the production, handling or
33 distribution of goods or services, including goods or services in the traded sector.
- 34 “(5) ‘Project sponsor’ means:
- 35 “(a) A public owner of a regionally significant industrial site that is investing in preparation of

1 the site for industrial use by a third party; or

2 “(b) A public entity that has entered into a development or other agreement with the private
3 owner of a regionally significant industrial site to prepare the site for industrial use.

4 “(6) ‘Regionally significant industrial site’ means *[an area]* **a site** planned and zoned for indus-
5 trial use that:

6 “(a)(A) *[Contains a site or sites, including brownfields, that are]* **Is** suitable for the location of
7 new industrial uses or the expansion of existing industrial uses and that can provide significant
8 additional employment in the region;

9 “(B) Has site characteristics that *[give the area]* **provide** significant competitive advantages that
10 are difficult or impossible to replicate in the region; and

11 “(C) Has superior access to transportation and freight infrastructure, including but not limited
12 to rail, port, airport, multimodal freight or transshipment facilities and other major transportation
13 facilities or routes; or

14 “(b) Is *[land]* **located in an area** designated by Metro, as defined in ORS 197.015, as a regionally
15 significant industrial area.

16 “(7) ‘**Rural site**’ means a regionally significant industrial site located in an area outside
17 of a metropolitan statistical area.

18 “[~~(7)~~] (8) ‘Traded sector’ has the meaning given that term in ORS 285A.010.

19 “(9) ‘**Urban site**’ means a regionally significant industrial site located in a metropolitan
20 statistical area, as defined by the most recent federal decennial census, that is located inside
21 a regional or metropolitan urban growth boundary.

22 “[~~(8)~~] (10) ‘Wage’ has the meaning given that term pursuant to rules adopted by the Oregon
23 Business Development Department.”.

24 In line 41, before “Department” insert “Employment Department and the”.

25 On page 3, line 15, restore the bracketed material.

26 In line 32, restore the bracketed material.

27 On page 4, delete lines 20 through 45.

28 On page 5, delete lines 1 through 7 and insert:

29 “**SECTION 4.** ORS 285B.630 is amended to read:

30 “285B.630. (1) *[Beginning with]* **On or before April 1 of each tax year following the first** tax
31 year *[following the fifth tax year]* in which *[a project sponsor was qualified]* **an employee of an eli-**
32 **gible employer on a regionally significant industrial site designated** under ORS 285B.627~~], on~~
33 ~~or before April 1 following each tax year in which employees of an eligible employer]~~ will be required
34 to pay personal income taxes under ORS chapter 316, *[the eligible employer and the project sponsor*
35 *with which the eligible employer has entered into a contract under ORS 285B.625 to 285B.632 shall*
36 *submit a report to the Oregon Business Development Department, in addition to any other reporting*
37 *or filing requirement, that contains the annual amount of taxable income and total compensation paid*
38 *to employees of the eligible employer and any other information that may be required by the Oregon*
39 *Business Development Department and the Oregon Department of Administrative Services under this*
40 *section]* **the Oregon Business Development Department shall obtain employment and wage**
41 **information from the Employment Department for the eligible employer at the regionally**
42 **significant industrial site.**

43 “(2) *[Upon receipt of information compiled under]* **After obtaining the employment and wage**
44 **information described in** subsection (1) of this section, the Oregon *[Department of Administrative*
45 *Services]* **Business Development Department** shall determine the annual amount of estimated in-

1 incremental income tax revenues generated by an eligible employer per tax year[, *beginning with the*
2 *tax year following the fifth tax year in which a project sponsor was qualified under ORS 285B.627*].

3 “(3) In determining the amount of estimated incremental income tax revenues generated by an
4 eligible employer under this section, the Oregon [*Department of Administrative Services*] **Business**
5 **Development Department** may rely on reasonable techniques of estimation, if appropriate.

6 “(4) Not later than May 15 of each [*fiscal*] year, the Oregon [*Department of Administrative Ser-*
7 *vices*] **Business Development Department** shall **request that the Oregon Department of Ad-**
8 **ministrative Services** certify the amounts determined under subsection (2) of this section to the
9 Department of Revenue, the Legislative Revenue Officer and the Legislative Fiscal Officer.

10 “(5) Not later than June 15 of each [*fiscal*] year, after receiving the certification under sub-
11 section (4) of this section, the Department of Revenue shall transfer to the Oregon Industrial Site
12 Readiness Program Fund established in ORS 285B.632 an amount equal to 50 percent of the amount
13 of estimated incremental income tax revenues certified under subsection (4) of this section, **not to**
14 **exceed the amount of eligible site preparation costs, including interest, established under**
15 **ORS 285B.627 (7)**.

16 “(6) The Department of Revenue shall retain unreceipted revenue from the tax imposed under
17 ORS chapter 316 in an amount necessary to make the transfers required under subsection (5) of this
18 section. The department shall make the transfers out of the unreceipted revenue in lieu of paying
19 the revenue over to the State Treasurer for deposit in the General Fund.

20 “(7) The Oregon Business Development Department [*and the Oregon Department of Administra-*
21 *tive Services*] shall adopt rules necessary to administer this section. The Department of Revenue may
22 adopt rules necessary to administer this section.”.

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