

A-Engrossed
Senate Bill 378

Ordered by the House June 8
Including House Amendments dated June 8

Sponsored by Senators HANSELL, COURTNEY, LINTHICUM, MANNING JR, MONROE, OLSEN, PROZANSKI, RILEY, ROBLAN, THOMSEN, WINTERS; Senators BAERTSCHIGER JR, BEYER, BOQUIST, BURDICK, DEBOER, DEMBROW, DEVLIN, FERRIOLI, FREDERICK, GELSER, GIROD, HASS, JOHNSON, KNOPP, KRUSE, MONNES ANDERSON, STEINER HAYWARD, TAYLOR, THATCHER, Representatives ALONSO LEON, BARKER, BARRETO, BENTZ, BOONE, BUEHLER, BYNUM, CLEM, DOHERTY, ESQUIVEL, EVANS, FAHEY, GOMBERG, GORSEK, GREENLICK, HACK, HAYDEN, HEARD, HELM, HERNANDEZ, HUFFMAN, JOHNSON, KENNEMER, KENY-GUYER, LEWIS, LININGER, LIVELY, MALSTROM, MARSH, MCKEOWN, MCLAIN, MCLANE, MEEK, NATHANSON, NEARMAN, NOBLE, NOSSE, OLSON, PARRISH, PILUSO, POST, POWER, RAYFIELD, REARDON, RESCHKE, SANCHEZ, SMITH DB, SMITH G, SMITH WARNER, SOLLMAN, SPRENGER, STARK, VIAL, WHISNANT, WILLIAMSON, WILSON, WITT (Pre-session filed.)

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.

Adds Oregon Volunteer Firefighters Association to list of entities eligible for individual income tax return checkoff contribution. **Provides conditions for use of contributions.**
Applies to individual income tax returns for tax years beginning on or after January 1, 2017.
Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to charitable checkoffs; creating new provisions; amending ORS 305.727; and prescribing
3 an effective date.

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

5 **SECTION 1.** ORS 305.727 is amended to read:

6 305.727. (1) In addition to the opportunity to be listed on the Oregon individual tax return forms
7 under ORS 305.725, an entity on the eligibility roster may apply to the commission for listing in the
8 Department of Revenue instructions for tax return checkoff contribution as provided in this section.

9 (2) In order to qualify for instruction listing, the entity must apply to the commission in the
10 manner in which an entity applies for listing on the individual tax forms under ORS 305.725.

11 (3) In order to qualify for instruction listing, the entity must meet the qualifications described
12 in ORS 305.720, collect 10,000 or more signatures from electors of this state attesting that the
13 electors support the entity qualifying for instruction listing and be:

14 (a) The Oregon Veterans' Home, the Nongame Wildlife Fund, the Alzheimer's Disease Research
15 Fund, the Oregon Military Emergency Financial Assistance Fund, the Oregon Department of
16 Veterans' Affairs Veterans Suicide Prevention and Outreach Program Fund, **the Oregon Volunteer**
17 **Firefighters Association, but only if contributions are dedicated to the direct costs of fire-**
18 **fighter training or to the assistance of a firefighter, or a firefighter's immediate family, who**
19 **has experienced hardship resulting from the death, injury or illness of the firefighter,** or the
20 subaccount described in ORS 316.493 for contributions dedicated to the prevention of child abuse
21 and neglect;

22 (b) A nonprofit organization described in section 501(c)(3) of the Internal Revenue Code with a

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 gross income of at least \$1 million for the year prior to application; or

2 (c) The central office for a group of affiliated nonprofit organizations with a collective gross
3 income of at least \$1 million in the year prior to the year of application.

4 (4) The commission shall review applications and approve those that meet the qualifications of
5 ORS 305.720 and this section. An entity that is approved by the commission shall thereafter qualify
6 for instruction listing for six years and thereafter must reapply under this section for continued
7 listing in additional six-year periods, except that an entity that reapplies does not need to collect
8 10,000 or more signatures.

9 (5) The commission shall certify those entities that are on the eligibility roster and that the
10 commission has approved in the interim since the last preceding certification to the Department of
11 Revenue for listing in the instructions to the forms described in ORS 305.710.

12 (6) The department shall include in the instructions to the forms described in ORS 305.710 a list
13 of entities that have been certified by the commission under this section as of the date the in-
14 structions for the forms must be prepared.

15 (7) The department shall cause two lines to be included on the Oregon individual tax return
16 forms following the listing of the entities described in ORS 305.715 (2). These lines may be used by
17 a taxpayer to designate one **entity** or two entities that have qualified for instruction listing under
18 this section as the [*recipient*] **recipients** of [*a*] checkoff [*contribution*] **contributions** by the taxpayer.

19 (8) Amounts contributed by charitable checkoff to an instruction-listed entity shall be subject
20 to and distributed as provided in ORS 305.747.

21 **SECTION 2. The amendments to ORS 305.727 by section 1 of this 2017 Act apply to indi-**
22 **vidual income tax returns for tax years beginning on or after January 1, 2017.**

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

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