

Requested by Senator BEYER

**PROPOSED AMENDMENTS TO
SENATE BILL 333**

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
7 adopted by the Oregon 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 busi-*
10 *ness in the traded sector industry*] **Is conducting a traded sector business**
11 on a regionally significant industrial site; and

12 “(b)(A) **With respect to a rural site**, has hired **at least 25** full-time
13 employees [*who are residents of this state and*] whose compensation averages
14 at least 150 percent of the county or state average wage, whichever is less;
15 **or**

16 “(B) **With respect to an urban site**, has hired **at least 50 full-time**
17 **employees whose compensation averages at least 150 percent of the**
18 **county or state average wage, whichever is less.**

19 “[*(3) ‘Estimated incremental income tax revenues’ means the Oregon per-*
20 *sonal income tax revenues that are estimated pursuant to ORS 285B.630 to be*
21 *substantially equivalent to the amount of tax that employees of an eligible*

1 *employer who are hired after the eligible employer enters into a contract with*
2 *a qualified project sponsor to conduct a traded sector business on a certified*
3 *regionally significant industrial site will be required to pay under ORS*
4 *chapter 316 as a result of compensation paid to the employees by the eligible*
5 *employer in the tax years beginning with the tax year following the fifth tax*
6 *year in which a project sponsor was qualified under ORS 285B.627.]*

7 **“(3) ‘Estimated incremental income tax revenues’ means the**
8 **Oregon personal income tax revenues that are equivalent to the**
9 **amount of tax that employees of an eligible employer who are hired**
10 **by the eligible employer on a designated regionally significant indus-**
11 **trial site have paid under ORS chapter 316 in the tax years following**
12 **the first tax year in which the eligible employer begins conducting a**
13 **traded sector business on the designated regionally significant indus-**
14 **trial site.**

15 **“(4) ‘Industrial use’ means employment activities, including but not lim-**
16 **ited to manufacturing, assembly, fabrication, processing, storage, logistics,**
17 **warehousing, importation, distribution, transshipment and research and de-**
18 **velopment, that generate income from the production, handling or distrib-**
19 **ution of goods or services, including goods or services in the traded sector.**

20 **“(5) ‘Project sponsor’ means:**

21 **“(a) A public owner of a regionally significant industrial site that is in-**
22 **vesting in preparation of the site for industrial use by a third party; or**

23 **“(b) A public entity that has entered into a development or other agree-**
24 **ment with the private owner of a regionally significant industrial site to**
25 **prepare the site for industrial use.**

26 **“(6) ‘Regionally significant industrial site’ means [an area] a site planned**
27 **and zoned for industrial use that:**

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

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

4 “(C) Has superior access to transportation and freight infrastructure, in-
5 cluding but not limited to rail, port, airport, multimodal freight or trans-
6 shipment facilities and other major transportation facilities or routes; or

7 “(b) Is [*land*] **located in an area** designated by Metro, as defined in ORS
8 197.015, as a regionally significant industrial area.

9 “**(7) ‘Rural site’ means a regionally significant industrial site lo-**
10 **cated in an area outside of a metropolitan statistical area.**

11 “[~~(7)~~] **(8) ‘Traded sector’** has the meaning given that term in ORS
12 285A.010.

13 “**(9) ‘Urban site’ means a regionally significant industrial site lo-**
14 **cated in a metropolitan statistical area, as defined by the most recent**
15 **federal decennial census, that is located inside a regional or metro-**
16 **politan urban growth boundary.**

17 “[~~(8)~~] **(10) ‘Wage’** has the meaning given that term pursuant to rules
18 adopted by the Oregon Business Development Department.”.

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

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

22 In line 32, restore the bracketed material.

23 On page 4, delete lines 20 through 45.

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

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

26 “285B.630. (1) [*Beginning with*] **On or before April 1 of each tax year**
27 **following the first tax year** [*following the fifth tax year*] in which [*a project*
28 *sponsor was qualified*] **an employee of an eligible employer on a re-**
29 **gionally significant industrial site designated** under ORS 285B.627[, *on*
30 *or before April 1 following each tax year in which employees of an eligible*

1 employer] will be required to pay personal income taxes under ORS chapter
2 316, [the eligible employer and the project sponsor with which the eligible
3 employer has entered into a contract under ORS 285B.625 to 285B.632 shall
4 submit a report to the Oregon Business Development Department, in addition
5 to any other reporting or filing requirement, that contains the annual amount
6 of taxable income and total compensation paid to employees of the eligible
7 employer and any other information that may be required by the Oregon
8 Business Development Department and the Oregon Department of Adminis-
9 trative Services under this section] **the Oregon Business Development**
10 **Department shall obtain employment and wage information from the**
11 **Employment Department for the eligible employer at the regionally**
12 **significant industrial site.**

13 “(2) [Upon receipt of information compiled under] **After obtaining the**
14 **employment and wage information described in** subsection (1) of this
15 section, the Oregon [Department of Administrative Services] **Business De-**
16 **velopment Department** shall determine the annual amount of estimated
17 incremental income tax revenues generated by an eligible employer per tax
18 year[, beginning with the tax year following the fifth tax year in which a
19 project sponsor was qualified under ORS 285B.627].

20 “(3) In determining the amount of estimated incremental income tax rev-
21 enues generated by an eligible employer under this section, the Oregon [De-
22 partment of Administrative Services] **Business Development Department**
23 may rely on reasonable techniques of estimation, if appropriate.

24 “(4) Not later than May 15 of each [fiscal] year, the Oregon [Department
25 of Administrative Services] **Business Development Department** shall re-
26 **quest that the Oregon Department of Administrative Services** certify
27 the amounts determined under subsection (2) of this section to the Depart-
28 ment of Revenue, the Legislative Revenue Officer and the Legislative Fiscal
29 Officer.

30 “(5) Not later than June 15 of each [fiscal] year, after receiving the cer-

1 tification under subsection (4) of this section, the Department of Revenue
2 shall transfer to the Oregon Industrial Site Readiness Program Fund estab-
3 lished in ORS 285B.632 an amount equal to 50 percent of the amount of es-
4 timated incremental income tax revenues certified under subsection (4) of
5 this section, **not to exceed the amount of eligible site preparation costs,**
6 **including interest, established under ORS 285B.627 (7).**

7 “(6) The Department of Revenue shall retain unreceipted revenue from the
8 tax imposed under ORS chapter 316 in an amount necessary to make the
9 transfers required under subsection (5) of this section. The department shall
10 make the transfers out of the unreceipted revenue in lieu of paying the rev-
11 enue over to the State Treasurer for deposit in the General Fund.

12 “(7) The Oregon Business Development Department [*and the Oregon De-*
13 *partment of Administrative Services*] shall adopt rules necessary to adminis-
14 ter this section. The Department of Revenue may adopt rules necessary to
15 administer this section.”.

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