

Requested by HOUSE COMMITTEE ON REVENUE

**PROPOSED AMENDMENTS TO
HOUSE BILL 4080**

1 On page 1 of the printed bill, delete lines 7 through 31.

2 On page 2, delete lines 1 through 10 and insert:

3 **SECTION 1.** ORS 178.300 is amended to read:

4 “178.300. As used in ORS 178.300 to 178.355:

5 “(1) ‘Account’ means an individual account established in accordance with
6 ORS 178.300 to 178.355.

7 “(2) ‘Account owner’ means the person who has the right to withdraw
8 funds from the account. The account owner may also be the designated ben-
9 eficiary of the account.

10 “(3) ‘Board’ means the Oregon 529 Savings Board established under ORS
11 178.310.

12 “(4) ‘Designated beneficiary’ means, except as provided in ORS 178.350,
13 the individual designated at the time the account is opened as having the
14 right to receive a qualified withdrawal for the payment of qualified higher
15 education expenses, or if the designated beneficiary is replaced in accordance
16 with ORS 178.350, the replacement.

17 “(5) ‘Financial institution’ means a bank, a commercial bank, a national
18 bank, a savings bank, a savings and loan, a thrift institution, a credit union,
19 an insurance company, a trust company, a mutual fund, an investment firm
20 or other similar entity authorized to do business in this state.

21 “(6) ‘Higher education institution’ means an eligible education institution

1 as defined in section 529(e)(5) of the Internal Revenue Code.

2 “(7) ‘Internal Revenue Code’ means the federal Internal Revenue Code as
3 amended and in effect on December 31, [2016] **2017**.

4 “(8) ‘Member of the family’ shall have the same meaning as contained in
5 section 529(e) of the Internal Revenue Code.

6 “(9) ‘Network’ means the Oregon 529 Savings Network established under
7 ORS 178.305.

8 “(10) ‘Nonqualified withdrawal’ means a withdrawal from an account that
9 is not a qualified withdrawal.

10 “(11) ‘Qualified higher education expenses’ means tuition and other per-
11 mitted expenses as set forth in section 529(e) of the Internal Revenue Code
12 for the enrollment or attendance of a designated beneficiary at a higher ed-
13 ucation institution.

14 “(12)(a) ‘Qualified withdrawal’ means a withdrawal made as prescribed
15 under ORS 178.355 and made:

16 “[a] (A) From an account to pay the qualified higher education expenses
17 of the designated beneficiary;

18 “[b] (B) As the result of the death or disability of the designated bene-
19 ficiary;

20 “[c] (C) As the result of a scholarship, allowance or payment described
21 in section 135(d)(1)(A), (B) or (C) of the Internal Revenue Code that is re-
22 ceived by the designated beneficiary, but only to the extent of the amount
23 of the scholarship, allowance or payment; or

24 “[d] (D) As a rollover or change in the designated beneficiary described
25 in ORS 178.350.

26 “(b) **‘Qualified withdrawal’ does not include a withdrawal from an**
27 **account to pay expenses for tuition in connection with enrollment or**
28 **attendance at an elementary or secondary religious school.”.**

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