

Requested by Representative SMITH DB

**PROPOSED AMENDMENTS TO
HOUSE BILL 2020**

1 On page 1 of the printed bill, line 4, delete “declaring an emergency” and
2 insert “prescribing an effective date”.

3 On page 23, delete lines 15 through 18 and insert:

4 “(a) By the department to issue refunds as provided for in sections 32a
5 and 32b of this 2019 Act; and

6 “(b) After making all valid refunds under paragraph (a) of this subsection,
7 to be allocated by the Legislative Assembly subject to sections 29 and 33 of
8 this 2019 Act.

9 “(4) Allocations by the Legislative Assembly under subsection (3)(b) of
10 this section must be for purposes:

11 “(a) Authorized by Article IX, section 3a, of the Oregon Constitution; and

12 “(b) That further the purposes set forth in section 7 of this 2019 Act.

13 **“SECTION 32a. (1) Any person that uses fuel to propel a motor ve-**
14 **hicle on the public highways of this state may apply to the Department**
15 **of Transportation for a refund equal to the number of gallons of fuel**
16 **that the person used to propel the motor vehicle on the public high-**
17 **ways during the immediately preceding calendar year multiplied by 75**
18 **percent of the per gallon price of an allowance, as that term is defined**
19 **in section 8 of this 2019 Act. The department shall calculate the per**
20 **gallon price of an allowance using the auction floor price for allow-**
21 **ances in the year for which the refund is claimed, as the auction floor**

1 price is set by the Carbon Policy Office under section 21 of this 2019
2 Act.

3 “(b) An application for a refund under this subsection must be
4 submitted to the department by March 1 following the calendar year
5 to which the refund application relates.

6 “(c) The application required under this subsection shall be in a
7 form prescribed by the department by rule and must include a state-
8 ment, signed by the applicant under penalties for false swearing, that
9 sets forth the number of gallons of fuel proposed as the basis for
10 computing the amount of the refund.

11 “(d) The department may require the applicant for a refund under
12 this subsection to furnish any information the department considers
13 necessary for processing the application.

14 “(e) As used in this subsection, ‘fuel’ means:

15 “(A) Motor vehicle fuel as defined in ORS 319.010; and

16 “(B) Fuel subject to the tax imposed under ORS 319.530 on the use
17 of fuel in a motor vehicle within the meaning of ORS 319.520.

18 “(2)(a) The department may investigate a refund application sub-
19 mitted under subsection (1) of this section and gather and compile
20 such information related to the application as the department consid-
21 ers necessary.

22 “(b) The department may examine the relevant records of the ap-
23 plicant in order to establish the validity of an application.

24 “(c) If an applicant does not permit the department to examine the
25 relevant records, the applicant waives all rights to the refund to which
26 the application relates.

27 “(3)(a) The department shall reject or approve an application for a
28 refund submitted under subsection (1) of this section.

29 “(b) The department may modify an application to any reasonable
30 extent necessary for approval of the application.

