

HOUSE AMENDMENTS TO HOUSE BILL 2684

By COMMITTEE ON REVENUE

April 19

1 On page 2 of the printed bill, after line 31, insert:

2 **“SECTION 6. (1) Notwithstanding the repeal of ORS 308.677 by section 1 of this 2019 Act,**
3 **and any decision of the Department of Revenue made under ORS 308.677 (2015 Edition) before**
4 **the effective date of this 2019 Act, the intangible property of a company described in ORS**
5 **308.515 (1) shall be specially assessed as provided in subsection (2) of this section if:**

6 **“(a) The company’s application for a qualified project determination was approved by the**
7 **Public Utility Commission pursuant to ORS 308.677 (4) (2015 Edition) on or before March 1,**
8 **2016;**

9 **“(b) The company began operating a qualified project on or before January 1, 2018; and**

10 **“(c) The company has not settled any tax controversy with the department by entering**
11 **into a settlement agreement pursuant to which the company has withdrawn any claims, and**
12 **relinquished any entitlement, to the exemption granted under any version of ORS 308.677.**

13 **“(2) Upon approval of a claim submitted under subsection (3) of this section by a company**
14 **meeting the requirements of subsection (1) of this section, the department, for purposes of**
15 **ORS 308.505 to 308.681, shall specially assess the company’s intangible property at 75 percent**
16 **of the real market value of the intangible property.**

17 **“(3)(a) A company seeking special assessment under this section must submit a claim to**
18 **the department within 30 days following the effective date of this 2019 Act.**

19 **“(b) The department shall approve a claim that demonstrates that the company meets**
20 **the requirements of subsection (1) of this section. To demonstrate that the company is op-**
21 **erating a qualified project, it is sufficient for the claim to show that the company is providing**
22 **residential communication services of, at least, approximately one gigabit per second sym-**
23 **metrical service.**

24 **“(c) If the department approves a company’s claim, the company’s intangible property**
25 **shall be specially assessed as provided in subsection (2) of this section for the property tax**
26 **year beginning on July 1, 2019. The company’s intangible property may not be specially as-**
27 **sessed under this section for any other property tax year.**

28 **“(d) If the department rejects a company’s claim, the department shall notify the com-**
29 **pany of the decision.**

30 **“SECTION 7. Section 6 of this 2019 Act is repealed on January 2, 2022.”.**

31 In line 32, delete “6” and insert “8”.

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