

HB 4009-1
(LC 249)
2/4/20 (CMT/ps)

Requested by HOUSE COMMITTEE ON REVENUE (at the request of Representative Nancy Nathanson)

**PROPOSED AMENDMENTS TO
HOUSE BILL 4009**

1 On page 7 of the printed bill, line 13, before “year” insert “calendar”.

2 Delete line 14 and insert “returns or allowances are made.”.

3 On page 8, delete lines 4 through 8 and insert:

4 “(2) The amounts in subsection (1)(a) or (b) of this section shall be ap-
5 portioned to this state by multiplying the amounts by a factor. For the fac-
6 tor, the taxpayer may elect to use:

7 “(a) A ratio, the numerator of which is commercial activity in this state
8 and the denominator of which is commercial activity in the United States;
9 or

10 “(b) The sales factor properly reported on the taxpayer’s corporate excise
11 tax return, as determined under ORS 314.650 and 314.665.”.

12 In line 38, delete “20” and insert “five”.

13 Delete lines 42 through 45.

14 On page 9, delete lines 1 through 6 and insert:

15 “**SECTION 6.** ORS 317A.161, as amended by section 5 of this 2020 Act,
16 is amended to read:

17 “317A.161. [(1) *The Department of Revenue may not impose any interest that*
18 *would otherwise apply to taxes due if the interest is based on underpayment*
19 *or underreporting that results solely from the operation of ORS 317A.100 to*
20 *317A.158.*]

21 “[2)] (1) A taxpayer shall pay at least [80] **90** percent of the balance due

1 for any quarter or the Department of **Revenue** may impose, for any quarter
2 that this threshold is not met, a penalty of five percent of the underpayment
3 amount.

4 “[3] **(2)** The provisions of ORS 314.400 (1) and (2) apply to a taxpayer
5 that fails to file an annual return as required under ORS 317A.137 or that
6 fails to pay the tax imposed under ORS 317A.100 to 317A.158 by the due date
7 of the annual return.”

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