

# Senate Bill 312

Sponsored by Senator RILEY (Pre-session filed.)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires Department of Revenue to submit to Legislative Revenue Officer information from Oregon tax returns about certain corporations doing business in Oregon. Requires Legislative Revenue Officer to make information available in public report. Specifies information that must be included in report. Requires initial submission by department of information not later than December 1, 2021, for 2019 tax year.

Takes effect on 91st day following adjournment sine die.

## A BILL FOR AN ACT

1  
2 Relating to information about corporate taxpayers; and prescribing an effective date.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** (1) **As used in this section, "tax expenditure" has the meaning given that**  
5 **term in ORS 291.201.**

6 (2) **Notwithstanding ORS 314.835, not later than December 1 of each year the Department**  
7 **of Revenue shall submit to the Legislative Revenue Officer the information described in**  
8 **subsections (4) and (5) of this section. The department shall obtain the information from the**  
9 **most recent version of a tax return filed with the department as of the date of submission.**

10 (3) **Not later than March 1 of the following year, the Legislative Revenue Officer shall**  
11 **make the information submitted under subsection (2) of this section available in a public**  
12 **report and shall include with the report a statement that the information is taken directly**  
13 **from tax returns, as filed with and processed by the department, as of the date the Legisla-**  
14 **tive Revenue Officer obtained the information.**

15 (4) **The report required under this section must:**

16 (a) **Be limited to C corporations that are subject to corporate excise tax under ORS**  
17 **chapter 317 and that have an Oregon apportionment percentage of less than 100 percent.**

18 (b) **Include information from tax years that begin during the calendar year that imme-**  
19 **diately precedes the calendar year in which the information is submitted.**

20 (c) **Address liability under the corporate excise tax imposed under ORS chapter 317.**

21 (d) **Rank, in the following categories for the tax year, all Oregon corporate excise tax-**  
22 **payers that claimed at least \$\_\_\_\_\_ in tax expenditures under Oregon law:**

23 (A) **Oregon sales.**

24 (B) **Oregon taxable income.**

25 (C) **Total amount of tax expenditures claimed under Oregon law.**

26 (D) **Oregon tax liability.**

27 (5) **For each taxpayer listed in the four rankings required under subsection (4)(d) of this**  
28 **section, the department shall provide, and the Legislative Revenue Officer shall include in**  
29 **the report, the following information for the tax year:**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

- 1 (a) The name of the taxpayer, as provided on the Oregon return.
- 2 (b) The taxpayer's Oregon sales.
- 3 (c) The taxpayer's Oregon taxable income.
- 4 (d) The total amount of Oregon tax expenditures the taxpayer claimed.
- 5 (e) The taxpayer's Oregon tax liability.
- 6 (f) The total amount of Oregon property taxes the taxpayer paid during the tax year.
- 7 (6) This section does not permit a disclosure of information described in section
- 8 6103(p)(8)(A) of the Internal Revenue Code.

9 **SECTION 2.** (1) The Department of Revenue shall first submit the information on which  
10 the report required under section 1 of this 2021 Act is based not later than December 1, 2021,  
11 for the 2019 tax year.

12 (2) The Legislative Revenue Officer shall make the public report required under section  
13 1 of this 2021 Act first available not later than January 1, 2022, for the 2019 tax year.

14 **SECTION 3.** This 2021 Act takes effect on the 91st day after the date on which the 2021  
15 regular session of the Eighty-first Legislative Assembly adjourns sine die.

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