

SB 728-1
(LC 2648)
2/6/23 (CMT/ps)

Requested by SENATE COMMITTEE ON VETERANS, EMERGENCY MANAGEMENT, FEDERAL
AND WORLD AFFAIRS

**PROPOSED AMENDMENTS TO
SENATE BILL 728**

1 On page 1 of the printed bill, line 2, after “firefighters;” insert “creating
2 new provisions; amending ORS 316.502;”.

3 In line 10, delete “\$1,000” and insert “\$250”.

4 After line 28, insert:

5 “(4) A taxpayer may not claim the credit under this section unless the
6 taxpayer has an adjusted gross income:

7 “(a) Of less than \$100,000, as reported on an income tax return other than
8 a joint return; or

9 “(b) Of less than \$200,000, as reported on a joint return.

10 “(5) If the amount allowable as a credit under this section, when added
11 to the sum of the amounts allowable as payment of tax under ORS 316.187
12 or 316.583, other tax prepayment amounts and other refundable credit
13 amounts, exceeds the taxes imposed by ORS chapters 314 and 316 for the tax
14 year after application of any nonrefundable credits allowable for purposes
15 of ORS chapter 316 for the tax year, the amount of the excess shall be re-
16 funded to the taxpayer as provided in ORS 316.502.”.

17 In line 29, delete “(4)” and insert “(6)”.

18 On page 2, delete lines 2 and 3.

19 In line 4, delete “(6)” and insert “(7)”.

20 In line 8, delete “(7)” and insert “(8)”.

21 After line 9, insert:

1 **“SECTION 2a.** ORS 316.502, as amended by section 13, chapter 115,
2 Oregon Laws 2022, is amended to read:

3 “316.502. (1) The net revenue from the tax imposed by this chapter, after
4 deducting refunds and amounts described in ORS 285B.630 and 285C.635, shall
5 be paid over to the State Treasurer and held in the General Fund as mis-
6 cellaneous receipts available generally to meet any expense or obligation of
7 the State of Oregon lawfully incurred.

8 “(2) A working balance of unreceipted revenue from the tax imposed by
9 this chapter may be retained for the payment of refunds, but such working
10 balance shall not at the close of any fiscal year exceed the sum of \$1 million.

11 “(3) Moneys are continuously appropriated to the Department of Revenue
12 to make:

13 “(a) The refunds authorized under subsection (2) of this section; and

14 “(b) The refund payments in excess of tax liability authorized under ORS
15 315.174, 315.262, 315.264, 315.266 and 316.090 and section 3, chapter 589,
16 Oregon Laws 2021, and section 8, chapter 115, Oregon Laws 2022, **and sec-**
17 **tion 2 of this 2023 Act.**”.

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