

HB 2092-1
(LC 3528)
2/25/25 (CMT/ps)

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

**PROPOSED AMENDMENTS TO
HOUSE BILL 2092**

- 1 On page 1 of the printed bill, line 4, after “316.012,” insert “316.013,”.
- 2 In line 5, after “317.010,” insert “317.018,”.
- 3 On page 17, line 9, delete the colon.
- 4 In line 10, delete “(A)” and delete “; or” and insert a period.
- 5 Delete line 11.
- 6 On page 19, line 33, delete the colon.
- 7 In line 34, delete “(1)” and delete “; or” and insert a period.
- 8 Delete line 35.
- 9 On page 24, line 10, delete the colon.
- 10 In line 11, delete “(a)” and delete “; or” and insert a period.
- 11 Delete line 12.
- 12 On page 40, delete lines 8 through 42 and insert:
13 **“SECTION 32.** ORS 316.013 is amended to read:
14 “316.013. Unless the context requires otherwise and notwithstanding ORS
15 316.012, whenever, in the calculation of Oregon taxable income, reference to
16 the taxpayer’s federal adjusted gross income is required to be made, the
17 taxpayer’s federal adjusted gross income shall be as determined under the
18 provisions of the Internal Revenue Code as they may be in effect [*for the tax*
19 *year of the taxpayer*] **on December 31, 2024**, without any of the additions,
20 subtractions or other modifications or adjustments required under this
21 chapter and other laws of this state applicable to personal income taxation.

1 **“SECTION 33.** ORS 317.018 is amended to read:

2 “317.018. It is the intent of the Legislative Assembly:

3 “(1) To make the Oregon corporate excise tax law, insofar as it relates
4 to the measurement of taxable income, identical to the provisions of the
5 federal Internal Revenue Code, as in effect and applicable [*for the tax year*
6 *of the taxpayer*] **on December 31, 2024**, to the end that taxable income of a
7 corporation for Oregon purposes is the same as it is for federal income tax
8 purposes, subject to Oregon’s jurisdiction to tax, and subject to the addi-
9 tions, subtractions, adjustments and modifications contained in this chapter.

10 “(2) To achieve the results desired under subsection (1) of this section by
11 application of the various provisions of the federal Internal Revenue Code
12 relating to the definitions for corporations, of income, deductions, accounting
13 methods, accounting periods, taxation of corporations, basis and other perti-
14 nent provisions relating to gross income. It is not the intent of the Legisla-
15 tive Assembly to adopt federal Internal Revenue Code provisions dealing
16 with the computation of tax, tax credits or any other provisions designed to
17 mitigate the amount of tax due.

18 “(3) To impose on each corporation doing business within this state an
19 excise tax for the privilege of carrying on or doing that business measured
20 by its federal taxable income as adjusted in this chapter.

21 **“SECTION 34. (1) Except as provided in subsections (2) and (3) of**
22 **this section, the amendments to statutes by sections 1 to 33 of this 2025**
23 **Act apply to transactions or activities occurring on or after January**
24 **1, 2025, in tax years beginning on or after January 1, 2025.**

25 **“(2) The effective and applicable dates, and the exceptions, special**
26 **rules and coordination with the Internal Revenue Code, as amended,**
27 **relative to those dates, contained in federal law amending the Internal**
28 **Revenue Code and enacted before January 1, 2025, apply for Oregon**
29 **personal income and corporate excise and income tax purposes, to the**
30 **extent they can be made applicable, in the same manner as they are**

1 applied under the Internal Revenue Code and related federal law.

2 “(3)(a) If a deficiency is assessed against any taxpayer for a tax year
3 beginning before January 1, 2025, and the deficiency or any portion
4 thereof is attributable to any retroactive treatment under the amend-
5 ments to ORS 178.300, 178.375, 305.239, 305.494, 305.690, 305.842, 314.011,
6 314.306, 315.004, 316.012, 316.013, 316.147, 316.157, 317.010, 317.018, 317.097
7 and 317A.100 by sections 1, 2, 16 to 28, 32 and 33 of this 2025 Act, then
8 any interest or penalty assessed under ORS chapter 305, 314, 315, 316,
9 317, 317A or 318 with respect to the deficiency or portion thereof shall
10 be canceled.

11 “(b) If a refund is due any taxpayer for a tax year beginning before
12 January 1, 2025, and the refund or any portion thereof is due the tax-
13 payer on account of any retroactive treatment under the amendments
14 to ORS 178.300, 178.375, 305.239, 305.494, 305.690, 305.842, 314.011, 314.306,
15 315.004, 316.012, 316.013, 316.147, 316.157, 317.010, 317.018, 317.097 and
16 317A.100 by sections 1, 2, 16 to 28, 32 and 33 of this 2025 Act for a tax
17 year beginning before January 1, 2025, then notwithstanding ORS
18 305.270 or 314.415 or any other law, the refund or portion thereof shall
19 be paid without interest.

20 “(c) Any changes required because of the amendments to ORS
21 178.300, 178.375, 305.239, 305.494, 305.690, 305.842, 314.011, 314.306, 315.004,
22 316.012, 316.013, 316.147, 316.157, 317.010, 317.018, 317.097 and 317A.100 by
23 sections 1, 2, 16 to 28, 32 and 33 of this 2025 Act for a tax year beginning
24 before January 1, 2025, shall be made by filing an amended return
25 within the time prescribed by law.

26 “(d) If a taxpayer fails to file an amended return under paragraph
27 (c) of this subsection, the Department of Revenue shall make any
28 changes under paragraph (c) of this subsection on the return to which
29 the changes relate within the period specified for issuing a notice of
30 deficiency or claiming a refund as otherwise provided by law with re-

1 spect to that return, or within one year after a return for a tax year
2 beginning on or after January 1, 2025, and before January 1, 2026, is
3 filed, whichever period expires later.

4 **“SECTION 35. This 2025 Act takes effect on the 91st day after the**
5 **date on which the 2025 regular session of the Eighty-third Legislative**
6 **Assembly adjourns sine die.”**

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