

SB 110-8
(LC 3633)
3/28/25 (DFY/ps)

Requested by SENATE COMMITTEE ON FINANCE AND REVENUE

**PROPOSED AMENDMENTS TO
SENATE BILL 110**

1 In line 2 of the printed bill, before the period insert “; amending ORS
2 184.400 and 184.404”.

3 Delete lines 4 through 8 and insert:

4 **“SECTION 1.** ORS 184.400 is amended to read:

5 “184.400. (1) As used in ORS 184.400 to 184.408:

6 “(a) ‘Incremental baseball tax revenues’ means:

7 “(A) The Oregon personal income tax revenues that are generated from
8 the Oregon personal income tax liabilities shown on the income tax returns
9 filed by the members of a professional athletic team engaged in Major
10 League Baseball, including revenues that are generated from the tax liabil-
11 ities of spouses of members of a professional athletic team engaged in Major
12 League Baseball if the tax liabilities are reported on a joint return; or

13 “(B) If Oregon personal income tax rates are reduced after the dates of
14 the grant agreements described in ORS 184.404 and the grant agreements
15 provide that payments will be based on rates in effect when the grant
16 agreements are executed, the Oregon personal income tax liabilities, as de-
17 scribed in subparagraph (A) of this paragraph, that would have been due if
18 the liabilities were calculated using personal income tax rates in effect on
19 the date of execution of the grant agreements.

20 “(b) ‘Major league stadium’ means a baseball stadium located in the City
21 of Portland that is designed for use by a Major League Baseball team and

1 that has an estimated cost of [*\$300 million*] **\$2 billion** or more.

2 “(c) ‘Member of a professional athletic team’ means an athlete or other
3 individual rendering service to a professional athletic team if the compen-
4 sation of the athlete or other individual exceeds [*\$50,000*] **\$100,000** in a tax
5 year.

6 “(d) ‘Tax liabilities’ means the tax determined under ORS chapter 316 for
7 the tax year less the credits allowed for purposes of ORS chapter 316 for the
8 tax year.

9 “(2) The Department of Revenue may adopt administrative rules that the
10 department determines are necessary to:

11 “(a) Further define the terms defined in this section in a manner con-
12 sistent with this section;

13 “(b) Implement the duties of the department under ORS 184.400 to 184.408;
14 and

15 “(c) Carry out the purposes of ORS 184.400 to 184.408.

16 “**SECTION 2.** ORS 184.404 is amended to read:

17 “184.404. (1) The Director of the Oregon Department of Administrative
18 Services, with the approval of the State Treasurer, may enter into one or
19 more agreements on behalf of the State of Oregon to grant the incremental
20 baseball tax revenues for a period of not more than 30 years. The grant
21 agreements must:

22 “(a) Provide that the granted amounts may be used only to pay for the
23 costs of financing, developing, constructing and furnishing a major league
24 stadium;

25 “(b) Provide that:

26 “(A) The total payments to the grantees are limited so that the grantees
27 do not receive, in the aggregate, more than [*\$150 million*] **\$800 million** for
28 costs of developing, constructing and furnishing a major league stadium, plus
29 the actual, reasonable financing costs incurred by the grantees for that
30 amount; and

1 “(B) If the incremental baseball tax revenues in a year substantially ex-
2 ceed the amount reasonably required to amortize a loan of [*\$150 million*] **\$800**
3 **million** over a period of 30 years with interest, the excess may be retained
4 by the state;

5 “(c) Terminate when:

6 “(A) The State of Oregon has made all payments assigned to the state in
7 the grant agreements for the costs allowed under this subsection; and

8 “(B) The grantees have returned any amounts required to be returned
9 under paragraph (i) of this subsection;

10 “(d) Require the Director of the Department of Revenue to estimate in-
11 cremental baseball tax revenues, specify the methodology for estimating in-
12 cremental baseball tax revenues and notify the Director of the Oregon
13 Department of Administrative Services of the estimated incremental baseball
14 tax revenues;

15 “(e) Specify the methodology for determining actual incremental baseball
16 tax revenues;

17 “(f) Require the Director of the Oregon Department of Administrative
18 Services to request that the Legislative Assembly appropriate an amount
19 equal to the estimated incremental baseball tax revenues from the General
20 Fund to the Major League Stadium Grant Fund established in ORS 184.408
21 so that those moneys may be disbursed under the grant agreements author-
22 ized by this section;

23 “(g) Require the Director of the Department of Revenue to determine the
24 actual incremental baseball tax revenues and, if the actual incremental
25 baseball tax revenues exceed the estimated incremental baseball tax reve-
26 nues, notify the Director of the Oregon Department of Administrative Ser-
27 vices of the excess;

28 “(h) Require the Director of the Oregon Department of Administrative
29 Services, if notified of an excess under paragraph (g) of this subsection, to
30 request that the Legislative Assembly appropriate an amount equal to the

1 excess, adjusted for the limits and retentions described in paragraph (b) of
2 this subsection, from the General Fund to the Major League Stadium Grant
3 Fund so that those moneys may be disbursed under the grant agreements
4 authorized by this section;

5 “(i) Require the grantees to return to the Director of the Oregon De-
6 partment of Administrative Services for deposit in the General Fund amounts
7 transferred to the grantees from the Major League Stadium Grant Fund that
8 exceed the actual incremental baseball tax revenues;

9 “(j) Provide that the amounts requested for appropriations may not be
10 reduced because of any reduction that may be enacted in Oregon personal
11 income tax rates;

12 “(k) Require the Director of the Oregon Department of Administrative
13 Services to disburse amounts in the Major League Stadium Grant Fund to
14 the grantees on particular dates;

15 “(L) Provide assurances of full and fair participation in the construction,
16 furnishing and operation of the major league stadium by minority-owned
17 businesses, woman-owned businesses, veteran-owned businesses and emerging
18 small businesses;

19 “(m) Provide for the maximization of economic benefits for Oregon work-
20 ers in the construction, furnishing and operation of the major league stadium
21 to the greatest extent permitted by law; and

22 “(n) Require the State of Oregon and the grantees to take any other
23 action that the State Treasurer, the Director of the Oregon Department of
24 Administrative Services or the Director of the Department of Revenue de-
25 termines is desirable to ensure that:

26 “(A) The granted funds are used for the purposes described in ORS 184.400
27 to 184.408;

28 “(B) The grant agreements are administered efficiently and the interests
29 of the State of Oregon are protected; and

30 “(C) The requests for appropriation of amounts equal to the incremental

1 baseball tax revenues are made as described in ORS 184.400 to 184.408.

2 “(2) The obligation of the State of Oregon, under ORS 184.400 to 184.408
3 and the grant agreements authorized by this section, to transfer estimated
4 or actual incremental baseball tax revenues to the Major League Stadium
5 Grant Fund is subject to an appropriation being made for that purpose by
6 the Legislative Assembly. The State of Oregon is not liable to any party for
7 any reason if the Legislative Assembly fails to appropriate all or a portion
8 of the amounts requested under subsection (1)(f) and (h) of this section to the
9 Major League Stadium Grant Fund. However, if the Legislative Assembly
10 does appropriate amounts for deposit in the Major League Stadium Grant
11 Fund and those amounts are deposited in the Major League Stadium Grant
12 Fund pursuant to the grant agreements authorized by this section, the obli-
13 gation of the State of Oregon to disburse the amounts in the Major League
14 Stadium Grant Fund is unconditional. The grant agreements authorized by
15 this section are not a pledge of the full faith and credit or the taxing power
16 of the State of Oregon, and the State of Oregon does not pledge its full faith
17 and credit or taxing power. The grant agreements do not create an indebt-
18 edness of the State of Oregon in violation of Article XI, section 7, of the
19 Oregon Constitution. If a provision of a grant agreement is construed to have
20 the effect of creating a debt in violation of Article XI, section 7, of the
21 Oregon Constitution, the provision is void.

22 “(3) The Legislative Assembly does not have a legal obligation to appro-
23 priate any amounts for disbursement under the grant agreements authorized
24 by this section. However, the Legislative Assembly declares its current in-
25 tention to appropriate amounts equal to the estimated incremental baseball
26 tax revenues and amounts equal to the amount by which the actual incre-
27 mental baseball tax revenues exceed the estimated incremental baseball tax
28 revenues from the General Fund to the Major League Stadium Grant Fund,
29 as provided in ORS 184.400 to 184.408, so that the amounts may be disbursed
30 pursuant to the grant agreements authorized by this section.

1 “(4) Before commencing negotiations on a grant agreement authorized by
2 this section, the Oregon Department of Administrative Services shall obtain
3 one or more agreements from benefited parties to pay the state’s costs asso-
4 ciated with negotiating and executing the grant agreement.”.

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