

Requested by JOINT COMMITTEE ON WAYS AND MEANS

**PROPOSED AMENDMENTS TO
B-ENGROSSED HOUSE BILL 4084**

1 On page 1 of the printed B-engrossed bill, line 3, after “285C.210” insert
2 “and section 12, chapter ___, Oregon Laws 2026 (Enrolled Senate Bill
3 1507)”.

4 On page 6, line 44, after “(1)” insert “(a)”.

5 On page 7, after line 3, insert:

6 “(b) Notwithstanding paragraph (a) of this subsection, the exemption pe-
7 riod may not be extended under this section for qualified property used in
8 operating a data center.”.

9 On page 8, after line 22, insert:

10 “(d) This subsection does not apply with respect to qualified property of
11 an authorized business firm used in operating a data center.”.

12 On page 11, after line 17, insert:

13 **“SECTION 11a. Section 11b of this 2026 Act is added to and made a
14 part of ORS 285C.050 to 285C.250.**

15 **“SECTION 11b. Notwithstanding any other provision of law, an eli-
16 gible business firm may not be authorized under ORS 285C.140 with
17 respect to property consisting of a data center project before the date
18 that is 90 days following the date on which the 2027 regular session of
19 the Legislative Assembly adjourns sine die.**

20 **“SECTION 11c. Section 11b of this 2026 Act is repealed on January
21 2, 2029.”.**

1 On page 14, delete lines 11 through 19 and insert:

2 **“SECTION 16.** If Senate Bill 1507 becomes law, section 12, chapter
3 _____, Oregon Laws 2026 (Enrolled Senate Bill 1507), is amended to read:

4 **“Sec. 12.** *[(1) A credit against taxes that are otherwise due under ORS*
5 *chapter 316 or, if the taxpayer is a corporation, under ORS chapter 317 or 318*
6 *is allowed to a taxpayer for each new job in Oregon created by the taxpayer*
7 *during the tax year.]*

8 **“(1) As used in this section:**

9 **“(a)(A) ‘Advanced manufacturing’ means activities that:**

10 **“(i) Depend on the use and coordination of information, auto-**
11 **mation, computation, software, industrial sensors and networking;**

12 **“(ii) Make use of newly developed materials and processes enabled**
13 **by the physical and biological sciences, including but not limited to**
14 **nanotechnology, chemistry and biology;**

15 **“(iii) Involve both new ways to manufacture existing products and**
16 **the manufacture of new products emerging from new advanced tech-**
17 **nologies; or**

18 **“(iv) As applied to biotechnology and life sciences activities, are**
19 **related research, development, scale-up and enabling technology ac-**
20 **tivities integral to the production of biological, medical or biobased**
21 **products.**

22 **“(B) ‘Advanced manufacturing’ does not include activities that are**
23 **primarily:**

24 **“(i) Routine assembly, packaging, labeling, sorting, warehousing,**
25 **storage or distribution;**

26 **“(ii) Basic fabrication, machining or processing that does not in-**
27 **corporate advanced technologies or materially transform products or**
28 **production processes;**

29 **“(iii) Maintenance, repair or refurbishment of machinery, equip-**
30 **ment or products; or**

1 “(iv) **Administrative, clerical, sales, marketing or other nonprod-**
2 **uction activities.**

3 “(b) **‘Clean technology’ means the manufacture or provision of, or**
4 **research or development supporting the manufacture or provision of,**
5 **products or services that enable energy to be produced from renewable**
6 **sources, that reduce negative environmental impacts or that reduce**
7 **energy consumption.**

8 “(c) **‘High technology’ means software, information technology and**
9 **semiconductor or related device manufacturing.**

10 “(d) **‘Qualified industry’ means businesses that operate in any of**
11 **the following sectors:**

12 “(A) **Advanced manufacturing;**

13 “(B) **Bioscience and biotechnology;**

14 “(C) **Clean technology;**

15 “(D) **Food and beverage processing;**

16 “(E) **Forestry and wood products;**

17 “(F) **High technology; or**

18 “(G) **Outdoor gear and apparel.**

19 “(2) **A credit against taxes that are otherwise due under ORS**
20 **chapter 316 or, if the taxpayer is a corporation, under ORS chapter 317**
21 **or 318 is allowed to a taxpayer that is engaged in a qualified industry**
22 **as a primary business, for each new job in Oregon created by the**
23 **taxpayer during the tax year in a qualified industry.**

24 “[(2)(a)] **(3)(a)** The credit allowed under this section shall be in the
25 amount of \$1,000 for each net new job created by a taxpayer in the tax year,
26 but a taxpayer may not be certified for and may not receive a credit for more
27 than 10 new jobs created per tax year.

28 “(b) In order to be considered in the determination under this section of
29 the eligibility and allowable credit amount for any taxpayer, an employment
30 position must have compensation that is equal to or greater than 150 percent

1 of the applicable minimum wage determined under ORS 653.025.

2 “(c) The number of net new jobs created by the taxpayer in a tax year
3 shall be determined by comparing the average annual covered employment
4 of the taxpayer for the 12 months ending on June 30 of the calendar year in
5 which the taxpayer’s tax year began and for which the credit is sought, with
6 the 12 months ending on June 30 of the immediately preceding calendar year.

7 “[3] *Prior to claiming the credit allowed under this section, a taxpayer*
8 *seeking to claim the credit is required to receive written certification of eligi-*
9 *bility from the Oregon Business Development Department. In order to receive*
10 *certification, a taxpayer must attest that the taxpayer has created new jobs*
11 *sufficient to be eligible for the amount of credit sought, has met the wage re-*
12 *quirements of subsection (2)(b) of this section and is otherwise in compliance*
13 *with this section. The certification shall indicate the amount of the credit to*
14 *which the taxpayer is entitled for the tax year.]*

15 “(4) **Prior to claiming the credit allowed under this section, a tax-**
16 **payer seeking to claim the credit is required to receive written certi-**
17 **fication of eligibility from the Oregon Business Development**
18 **Department. In order to receive certification, a taxpayer must attest**
19 **that the taxpayer:**

20 “(a) **Is engaged as the taxpayer’s primary business in a qualified**
21 **industry;**

22 “(b) **Has created new jobs sufficient to be eligible for the amount**
23 **of credit sought; and**

24 “(c) **Has met the wage requirements of subsection (3)(b) of this**
25 **section and is otherwise in compliance with this section.**

26 “(5) **The certification shall indicate the amount of the credit to**
27 **which the taxpayer is entitled for the tax year.**

28 “[4] (6) **The credit allowed under this section may not exceed the tax**
29 **liability of the taxpayer for the tax year.**

30 “[5] (7) **Any tax credit otherwise allowable under this section that is**

1 not used by the taxpayer in a particular tax year may be carried forward and
2 offset against the taxpayer's tax liability for the next succeeding tax year.
3 Any credit remaining unused in the next succeeding tax year may be carried
4 forward and used in the second succeeding tax year, and likewise any credit
5 not used in that second succeeding tax year may be carried forward and used
6 in the third succeeding tax year but may not be carried forward for any other
7 succeeding tax year.

8 “[6] (8) The Oregon Business Development Department shall provide
9 information to the Department of Revenue about all taxpayers that are eli-
10 gible for a tax credit under this section, if required by ORS 315.058.

11 “[7] (9) Information received by the Oregon Business Development De-
12 partment pursuant to this section may be used only for the purpose of cer-
13 tification and administration of the credit. The Oregon Business
14 Development Department may disclose this information to entities other than
15 the Department of Revenue only if the information is sufficiently aggregated
16 or anonymized to protect the identity and confidential information of tax-
17 payers.

18 “[8] (10) The Director of the Oregon Business Development Department
19 may order the suspension or revocation of a certification issued under this
20 section, as provided in ORS 315.061.

21 “[9] *The Oregon Business Development Department shall by rule*
22 *establish:]*

23 “[a] *The form and content of and deadlines for applications for the credit*
24 *allowed under this section.]*

25 “[b] *Methodology for determining net new jobs created, as provided in*
26 *subsection (2) of this section, in the instance of a merger, conversion, reor-*
27 *ganization, consolidation or acquisition affecting a taxpayer.]*

28 **“(11) The Oregon Business Development Department shall by rule:**

29 **“(a) Establish the form and content of and deadlines for applica-**
30 **tions for the credit allowed under this section.**

1 **“(b) Establish methodology for determining net new jobs created,**
2 **as provided in subsection (3) of this section, in the instance of a**
3 **merger, conversion, reorganization, consolidation or acquisition af-**
4 **fecting a taxpayer.**

5 **“(c) Further define the term ‘qualified industry’ for purposes of this**
6 **section.**

7 **“SECTION 17. This 2026 Act takes effect on the 91st day after the**
8 **date on which the 2026 regular session of the Eighty-third Legislative**
9 **Assembly adjourns sine die.”.**

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