

B-Engrossed Senate Bill 567

Ordered by the House June 30
Including Senate Amendments dated May 12 and House Amendments
dated June 30

Sponsored by COMMITTEE ON FINANCE AND REVENUE

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.

Directs Oregon Department of Administrative Services, not later than May 15 of each odd-numbered year, to estimate annual [*average revenue received*] **personal income tax liability** from taxable capital gains during [*two*] **three** consecutive tax years beginning January 1 of **even-numbered year falling within** immediately preceding [*odd-numbered year*] **biennium**.

Directs Oregon Department of Administrative Services, not later than June 30 of each odd-numbered year, to calculate excess of amount estimated for most recent two-year period over amount estimated for [*two-year*] **three-year** period [*immediately preceding most recent two-year period*] **beginning in preceding biennium**.

Directs Department of Revenue to transfer amount equal to twice amount of any excess to Education Stability Fund.

Directs Department of Revenue to make transfer out of unreceipted revenue **and to make first transfer not prior to June 1, 2019**.

Directs Oregon Department of Administrative Services to make first estimate not later than May 15, 2017, **for three consecutive tax years beginning January 1, 2014**.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to state finance; and prescribing an effective date.

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

4 **SECTION 1.** (1) Not later than May 15 of each odd-numbered year, the Oregon Depart-
5 ment of Administrative Services, in consultation with the Department of Revenue, shall es-
6 timate the annual tax liability from personal income taxes on taxable capital gains during the
7 three consecutive tax years beginning January 1 of the even-numbered year that falls during
8 the immediately preceding biennium.

9 (2) Not later than June 15 of the following odd-numbered year, the Oregon Department
10 of Administrative Services, in consultation with the Department of Revenue, shall estimate
11 the annual tax liability from personal income taxes on taxable capital gains during the two
12 consecutive tax years beginning January 1 of the immediately preceding odd-numbered year.

13 (3) Not later than June 30 of the odd-numbered year in which the estimate is made under
14 subsection (2) of this section, the Oregon Department of Administrative Services, in consul-
15 tation with the Department of Revenue, shall calculate the excess, if any, of the amount
16 estimated under subsection (2) of this section over the amount estimated under subsection
17 (1) of this section and notify the Department of Revenue of that amount.

18 (4) The Department of Revenue shall transfer an amount equal to twice the amount of
19 the excess calculated under subsection (3) of this section to the Education Stability Fund
20 established by ORS 348.696.

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 **(5) The Department of Revenue shall retain unreceipted revenue from the tax imposed**
2 **under ORS chapter 316 in an amount necessary to make the transfer required under sub-**
3 **section (4) of this section. The department shall make the transfer out of the unreceipted**
4 **revenue in lieu of paying the revenue over to the State Treasurer for deposit in the General**
5 **Fund.**

6 **SECTION 2.** (1) **The Oregon Department of Administrative Services, in consultation with**
7 **the Department of Revenue, shall make the first estimate required under section 1 (1) of this**
8 **2015 Act not later than May 15, 2017. The estimate shall be for the three consecutive tax**
9 **years beginning January 1, 2014.**

10 (2) **The first transfer to the Education Stability Fund under section 1 of this 2015 Act**
11 **may not occur prior to June 1, 2019.**

12 **SECTION 3.** **This 2015 Act takes effect on the 91st day after the date on which the 2015**
13 **regular session of the Seventy-eighth Legislative Assembly adjourns sine die.**

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