PROPOSED AMENDMENTS TO
HOUSE BILL 2064

1   In line 2 of the printed bill, after "amending" insert "ORS 320.350 and".

2   After line 10, insert:

3   **SECTION 3.** ORS 320.350 is amended to read:

4   "320.350. (1) A unit of local government that did not impose a local

5   transient lodging tax on July 1, 2003, may not impose a local transient

6   lodging tax on or after July 2, 2003, unless the imposition of the local tran-

7   sient lodging tax was approved on or before July 1, 2003.

8   "(2) A unit of local government that imposed a local transient lodging tax

9   on July 1, 2003, may not increase the rate of the local transient lodging tax

10   on or after July 2, 2003, to a rate that is greater than the rate in effect on

11   July 1, 2003, unless the increase was approved on or before July 1, 2003.

12   "(3) A unit of local government that imposed a local transient lodging tax

13   on July 1, 2003, may not decrease the percentage of total local transient

14   lodging tax revenues that are actually expended to fund tourism promotion

15   or tourism-related facilities on or after July 2, 2003. A unit of local govern-

16   ment that agreed, on or before July 1, 2003, to increase the percentage of

17   total local transient lodging tax revenues that are to be expended to fund

18   tourism promotion or tourism-related facilities, must increase the percentage

19   as agreed.

20   "(4) Notwithstanding subsections (1) and (2) of this section, a unit of local

21   government that is financing debt with local transient lodging tax revenues

1 on November 26, 2003, must continue to finance the debt until the retirement

2 of the debt, including any refinancing of that debt. If the tax is not otherwise

3 permitted under subsection (1) or (2) of this section, at the time of the debt

4 retirement:

5 "(a) The local transient lodging tax revenue that financed the debt shall

6 be used as provided in subsection (5) of this section; or

7 "(b) The unit of local government shall thereafter eliminate the new tax

8 or increase in tax otherwise described in subsection (1) or (2) of this section.

9 "(5) Subsections (1) and (2) of this section do not apply to a new or in-

10 creased local transient lodging tax if all of the net revenue from the new or

11 increased tax, following reductions attributed to collection reimbursement

12 charges, is used consistently with subsection (6) of this section to:

13 "(a) Fund tourism promotion or tourism-related facilities;

14 "(b) Fund city or county services; or

15 "(c) Finance or refinance the debt of tourism-related facilities and pay

16 reasonable administrative costs incurred in financing or refinancing that

17 debt, provided that:

18 "(A) The net revenue may be used for administrative costs only if the unit

19 of local government provides a collection reimbursement charge; and

20 "(B) Upon retirement of the debt, the unit of local government reduces

21 the tax by the amount by which the tax was increased to finance or refinance

22 the debt.

23 "(6) At least [*70*] **50** percent of net revenue from a new or increased local

24 transient lodging tax shall be used for the purposes described in subsection

25 (5)(a) or (c) of this section. No more than [*30*] **50** percent of net revenue from

26 a new or increased local transient lodging tax may be used for the purpose

27 described in subsection (5)(b) of this section.

28 "(7)(a)(A) A local transient lodging tax must be computed on the total

29 retail price, including all charges other than taxes, paid by a person for oc-

30 cupancy of the transient lodging.

1   "(B) The total retail price paid by a person for occupancy of transient

2 lodging that is part of a travel package may be determined by reasonable and

3 verifiable standards from books and records kept in the ordinary course of

4 the transient lodging tax collector's business.

5   "(b) The tax shall be collected by the transient lodging tax collector that

6 receives the consideration rendered for occupancy of the transient

7 lodging.".

8   In line 11, delete "3" and insert "4".

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