

Requested by Representative SMITH WARNER

**PROPOSED AMENDMENTS TO
HOUSE BILL 2684**

1 On page 2 of the printed bill, after line 31, insert:

2 **“SECTION 6. (1) Notwithstanding the repeal of ORS 308.677 by sec-**
3 **tion 1 of this 2019 Act, and any decision of the Department of Revenue**
4 **made under ORS 308.677 (2015 Edition) before the effective date of this**
5 **2019 Act, the intangible property of a company described in ORS 308.515**
6 **(1) shall be specially assessed as provided in subsection (2) of this**
7 **section if:**

8 **“(a) The company’s application for a qualified project determination**
9 **was approved by the Public Utility Commission pursuant to ORS**
10 **308.677 (4) (2015 Edition) on or before March 1, 2016;**

11 **“(b) The company began operating a qualified project on or before**
12 **January 1, 2018; and**

13 **“(c) The company has not settled any tax controversy with the de-**
14 **partment by entering into a settlement agreement pursuant to which**
15 **the company has withdrawn any claims, and relinquished any**
16 **entitlement, to the exemption granted under any version of ORS**
17 **308.677.**

18 **“(2) Upon approval of a claim submitted under subsection (3) of this**
19 **section by a company meeting the requirements of subsection (1) of**
20 **this section, the department, for purposes of ORS 308.505 to 308.681,**
21 **shall specially assess the company’s intangible property at 75 percent**

1 of the real market value of the intangible property.

2 “(3)(a) A company seeking special assessment under this section
3 must submit a claim to the department within 30 days following the
4 effective date of this 2019 Act.

5 “(b) The department shall approve a claim that demonstrates that
6 the company meets the requirements of subsection (1) of this section.
7 To demonstrate that the company is operating a qualified project, it
8 is sufficient for the claim to show that the company is providing res-
9 idential communication services of, at least, approximately one gigabit
10 per second symmetrical service.

11 “(c) If the department approves a company’s claim, the company’s
12 intangible property shall be specially assessed as provided in sub-
13 section (2) of this section for the property tax year beginning on July
14 1, 2019. The company’s intangible property may not be specially as-
15 sessed under this section for any other property tax year.

16 “(d) If the department rejects a company’s claim, the department
17 shall notify the company of the decision.

18 “SECTION 7. Section 6 of this 2019 Act is repealed on January 2,
19 2022.”.

20 In line 32, delete “6” and insert “8”.

21
