

Requested by Representative HOLVEY

**PROPOSED AMENDMENTS TO
HOUSE BILL 2495**

1 On page 5 of the printed bill, delete lines 6 and 7 and insert:

2 **“SECTION 8. Sections 9 to 12 of this 2019 Act are added to and made**
3 **a part of ORS 321.005 to 321.185.**

4 **“SECTION 9. (1) A severance tax is imposed at the time of the**
5 **harvest of timber from forestland other than small tract forestland**
6 **as defined in ORS 321.700.**

7 **“(2) The tax is imposed on the owner of timber at the time of har-**
8 **vest, and remains a liability of the owner of timber until paid.**

9 **“(3) The tax is imposed at the rate of 2.5 percent of the value of the**
10 **timber at the time of harvest.**

11 **“(4) Timber subject to the severance tax imposed under this section**
12 **is not taxable personal property for purposes of ORS 308.105.**

13 **“SECTION 10. (1) The Department of Revenue shall mail a**
14 **severance tax return form to an owner of timber subject to the**
15 **severance tax imposed under section 9 of this 2019 Act, as shown on**
16 **a State Forestry Department Notification of Operations permit issued**
17 **during a calendar year.**

18 **“(2) Any owner of timber receiving a severance tax return mailed**
19 **by the Department of Revenue shall complete the return and submit**
20 **the return to the department within the time prescribed in section 11**
21 **of this 2019 Act, even if the owner of timber has not incurred**

1 severance tax liability during the calendar year.

2 **“SECTION 11. (1) The severance tax imposed under section 9 of this**
3 **2019 Act is due and payable annually on or before the last day of Jan-**
4 **uary of each year with respect to all timber harvested during the**
5 **previous calendar year.**

6 **“(2)(a) At the time at which the severance tax is paid and on or**
7 **before the last day of January of each year, each taxpayer who has**
8 **harvested any timber during the previous calendar year shall prepare**
9 **a return on a form prescribed by the Department of Revenue showing:**

10 **“(A) The value of all timber harvested by the taxpayer during the**
11 **previous calendar year;**

12 **“(B) The amount of tax for which the taxpayer is liable for har-**
13 **vesting during the previous calendar year; and**

14 **“(C) Any other information that the department considers neces-**
15 **sary to correctly determine the tax due.**

16 **“(b) The taxpayer shall mail or deliver the return, together with a**
17 **remittance for the unpaid balance of the tax, to the department.**

18 **“(c) The return must be signed and certified by the taxpayer, or a**
19 **duly authorized agent of the taxpayer, as provided in ORS 305.810.**

20 **“(d) The department may allow, upon written application made on**
21 **or before the last day of January, further time not exceeding 30 days**
22 **for filing a return.**

23 **“(e) The tax is delinquent if not paid by the last day of January,**
24 **regardless of any extension of time for filing the return.**

25 **“(3) All severance tax payments received under sections 9 to 12 of**
26 **this 2019 Act shall be credited first to penalty and then to interest**
27 **accrued on the tax being paid and then to the tax.**

28 **“(4) A taxpayer incurring less than \$10 total severance tax liability**
29 **under sections 9 to 12 of this 2019 Act in any calendar year is excused**
30 **from the payment of the tax but is required to file a return.**

1 **“SECTION 12. (1) Revenue from the severance tax imposed under**
2 **section 9 of this 2019 Act shall be paid over by the Department of**
3 **Revenue to the State Treasurer and deposited in a suspense account**
4 **established under ORS 293.445.**

5 **“(2) After the payment of refunds, the balance of the suspense ac-**
6 **count shall be transferred to the Wildfire Suppression Fund estab-**
7 **lished under section 3 of this 2019 Act.**

8 **“SECTION 13. This 2019 Act takes effect on the 91st day after the**
9 **date on which the 2019 regular session of the Eightieth Legislative**
10 **Assembly adjourns sine die.”.**

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