

## HOUSE AMENDMENTS TO HOUSE BILL 4010

By COMMITTEE ON REVENUE

February 24

1 On page 1 of the printed bill, delete lines 4 through 27 and delete page 2 and insert:

2 **“SECTION 1.** Section 2 of this 2020 Act is added to and made a part of ORS chapter 316.

3 **“SECTION 2.** With respect to the sale or exchange of an investment in opportunity zone  
4 property, in lieu of the basis adjustment described in section 1400Z-2(c) of the Internal Re-  
5 venue Code, the basis of the investment shall be increased by the greater of zero or 50 per-  
6 cent of the difference between the fair market value of the investment on the date of sale  
7 or exchange minus the taxpayer’s basis, as determined without the basis adjustment de-  
8 scribed in section 1400Z-2(c) of the Internal Revenue Code.

9 **“SECTION 3.** Section 4 of this 2020 Act is added to and made a part of ORS chapter 317.

10 **“SECTION 4.** With respect to the sale or exchange of an investment in opportunity zone  
11 property, in lieu of the basis adjustment described in section 1400Z-2(c) of the Internal Re-  
12 venue Code, the basis of the investment shall be increased by the greater of zero or 50 per-  
13 cent of the difference between the fair market value of the investment on the date of sale  
14 or exchange minus the taxpayer’s basis, as determined without the basis adjustment de-  
15 scribed in section 1400Z-2(c) of the Internal Revenue Code.

16 **“SECTION 5.** Sections 2 and 4 of this 2020 Act apply to tax years beginning on or after  
17 January 1, 2020.

18 **“SECTION 6.** (1) The Legislative Revenue Officer shall study the operation, benefits, im-  
19 pact and effectiveness of the federal opportunity zone program in Oregon.

20 **“(2)** In conducting the study required by subsection (1) of this section, the officer shall  
21 consult with members of the Legislative Assembly and with individuals representing the fol-  
22 lowing:

23 **“(a)** Construction trade organizations;

24 **“(b)** Labor organizations;

25 **“(c)** Private equity concerns, including those working with qualified opportunity funds;

26 **“(d)** Tax policy advocates;

27 **“(e)** Tax practitioners, including those working with qualified opportunity funds;

28 **“(f)** Economic and community development organizations, including those located in  
29 areas where opportunity zones are located; and

30 **“(g)** Local governments, including those of rural and urban jurisdictions where opportu-  
31 nity zones are located.

32 **“(3)** The officer shall report findings to interim committees of the Legislative Assembly  
33 related to revenue and to economic development in the manner provided by ORS 192.245 no  
34 later than November 1, 2020. The report may include any options, if appropriate, recom-  
35 mended by the officer for legislation related to the opportunity zone program in Oregon.

1       **“SECTION 7. (1) Each qualified opportunity fund, as defined in section 1400Z-2(d) of the**  
2 **Internal Revenue Code, that is organized or doing business in this state shall submit a report**  
3 **to the Department of Consumer and Business Services within six months of the date that**  
4 **the qualified opportunity fund:**

5       **“(a) Receives moneys from an investor that is domiciled in this state; or**

6       **“(b) Makes an investment in a qualified opportunity zone located in this state.**

7       **“(2) Following an initial report described in subsection (1) of this section, a qualified op-**  
8 **portunity fund described in subsection (1) of this section shall submit subsequent reports at**  
9 **least annually on the anniversary of the initial report and shall update the information in the**  
10 **report.**

11       **“(3) The report required under this section shall include:**

12       **“(a) The name of the qualified opportunity fund;**

13       **“(b) A description of all qualified opportunity zone property in which the qualified op-**  
14 **portunity fund holds its assets, including physical addresses of each property;**

15       **“(c) A description of each qualified opportunity zone business in which the qualified op-**  
16 **portunity fund is invested, including the type of business, the ownership structure of the**  
17 **business, the physical address of the business and whether the business is a minority-owned**  
18 **business or a woman-owned business as defined in ORS 200.005; and**

19       **“(d) Any further information required by the department.**

20       **“(4) The department shall:**

21       **“(a) Establish by rule the form and manner for providing reports under this section; and**

22       **“(b) Post reports received under this section on the Oregon transparency website as**  
23 **provided in ORS 276A.253.**

24       **“SECTION 8. The reports required under section 7 of this 2020 Act shall be submitted**  
25 **no later than October 1, 2020, and annually thereafter.**

26       **“SECTION 9. This 2020 Act takes effect on the 91st day after the date on which the 2020**  
27 **regular session of the Eightieth Legislative Assembly adjourns sine die.”.**

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