

HB 4010-15  
(LC 250)  
2/20/20 (CMT/ps)

Requested by Representative NATHANSON

**PROPOSED AMENDMENTS TO  
HOUSE BILL 4010**

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

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

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

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

15 **“SECTION 4. With respect to the sale or exchange of an investment  
16 in opportunity zone property, in lieu of the basis adjustment described  
17 in section 1400Z-2(c) of the Internal Revenue Code, the basis of the  
18 investment shall be increased by the greater of zero or 50 percent of  
19 the difference between the fair market value of the investment on the  
20 date of sale or exchange minus the taxpayer’s basis, as determined  
21 without the basis adjustment described in section 1400Z-2(c) of the**

1 **Internal Revenue Code.**

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

4 **“SECTION 6. (1) The Legislative Revenue Officer shall study the**  
5 **operation, benefits, impact and effectiveness of the federal opportunity**  
6 **zone program in Oregon.**

7 **“(2) In conducting the study required by subsection (1) of this sec-**  
8 **tion, the officer shall consult with members of the Legislative As-**  
9 **sembly and with individuals representing the following:**

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

11 **“(b) Labor organizations;**

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

14 **“(d) Tax policy advocates;**

15 **“(e) Tax practitioners, including those working with qualified op-**  
16 **portunity funds;**

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

19 **“(g) Local governments, including those of rural and urban juris-**  
20 **dictions where opportunity zones are located.**

21 **“(3) The officer shall report findings to interim committees of the**  
22 **Legislative Assembly related to revenue and to economic development**  
23 **in the manner provided by ORS 192.245 no later than November 1, 2020.**  
24 **The report may include any options, if appropriate, recommended by**  
25 **the officer for legislation related to the opportunity zone program in**  
26 **Oregon.**

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

1 **the qualified opportunity fund:**

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

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

6 **“(2) Following an initial report described in subsection (1) of this**  
7 **section, a qualified opportunity fund described in subsection (1) of this**  
8 **section shall submit subsequent reports at least annually on the an-**  
9 **niversary 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**  
14 **which the qualified opportunity fund holds its assets, including phys-**  
15 **ical addresses of each property;**

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

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

22 **“(4) The department shall:**

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

25 **“(b) Post reports received under this section on the Oregon trans-**  
26 **parency website as provided in ORS 276A.253.**

27 **“SECTION 8. The reports required under section 7 of this 2020 Act**  
28 **shall be submitted no later than October 1, 2020, and annually there-**  
29 **after.**

30 **“SECTION 9. This 2020 Act takes effect on the 91st day after the**

1 **date on which the 2020 regular session of the Eightieth Legislative**  
2 **Assembly adjourns sine die.”**

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