

Requested by Senator FINDLEY

**PROPOSED AMENDMENTS TO  
SENATE BILL 330**

1 On page 1 of the printed bill, delete lines 7 through 24 and insert:

2 “(a) ‘Emergency period’ has the meaning given that term in section 3,  
3 chapter 13, Oregon Laws 2020 (first special session).

4 “(b) ‘End of the grace period’ has the meaning given that term in section  
5 3, chapter 13, Oregon Laws 2020 (first special session).

6 “(c) ‘Landlord’ has the meaning given that term in ORS 90.100.

7 “(d) ‘Nonpayment’ has the meaning given that term in section 3, chapter  
8 13, Oregon Laws 2020 (first special session).

9 “(e) ‘Nonpayment balance’ has the meaning given that term in section 3,  
10 chapter 13, Oregon Laws 2020 (first special session).

11 “(f) ‘Tenant’ has the meaning given that term in ORS 90.100.

12 “(2) A credit against taxes imposed by ORS chapter 316 or, if the taxpayer  
13 is a corporation, under ORS chapter 317 or 318 is allowed to a taxpayer that  
14 is a landlord, equal to the total amount forgiven by the taxpayer under  
15 subsection (3) of this section.

16 “(3) Before claiming the credit allowed under this section, the taxpayer  
17 must, after the end of the grace period, notify each tenant with a nonpay-  
18 ment balance for which the taxpayer intends to claim a credit that the tax-  
19 payer has forgiven the tenant’s nonpayment balance. The amount of  
20 nonpayment balance forgiven must be included in the notice.”.

21 On page 2, delete lines 38 through 45 and delete pages 3 and 4.

1 On page 5, delete lines 1 through 8 and insert:

2 **“SECTION 3.** ORS 316.680, as amended by section 131, chapter 1, Oregon  
3 Laws 2021 (Ballot Measure 109 (2020)), is amended to read:

4 “316.680. (1) There shall be subtracted from federal taxable income:

5 “(a) The interest or dividends on obligations of the United States and its  
6 territories and possessions or of any authority, commission or  
7 instrumentality of the United States to the extent includable in gross income  
8 for federal income tax purposes but exempt from state income taxes under  
9 the laws of the United States. However, the amount subtracted under this  
10 paragraph shall be reduced by any interest on indebtedness incurred to carry  
11 the obligations or securities described in this paragraph, and by any expenses  
12 incurred in the production of interest or dividend income described in this  
13 paragraph to the extent that such expenses, including amortizable bond pre-  
14 miums, are deductible in determining federal taxable income.

15 “(b) The amount of any federal income taxes accrued by the taxpayer  
16 during the taxable year as described in ORS 316.685, less the amount of any  
17 refunds of federal taxes previously accrued for which a tax benefit was re-  
18 ceived.

19 “(c) Amounts allowable under sections 2621(a)(2) and 2622(b) of the  
20 Internal Revenue Code to the extent that the taxpayer does not elect under  
21 section 642(g) of the Internal Revenue Code to reduce federal taxable income  
22 by those amounts.

23 “(d) Any supplemental payments made to JOBS Plus Program participants  
24 under ORS 411.892.

25 “(e)(A) Federal pension income that is attributable to federal employment  
26 occurring before October 1, 1991. Federal pension income that is attributable  
27 to federal employment occurring before October 1, 1991, shall be determined  
28 by multiplying the total amount of federal pension income for the tax year  
29 by the ratio of the number of months of federal creditable service occurring  
30 before October 1, 1991, over the total number of months of federal creditable

1 service.

2 “(B) The subtraction allowed under this paragraph applies only to federal  
3 pension income received at a time when:

4 “(i) Benefit increases provided under chapter 569, Oregon Laws 1995, are  
5 in effect; or

6 “(ii) Public Employees Retirement System benefits received for service  
7 prior to October 1, 1991, are exempt from state income tax.

8 “(C) As used in this paragraph:

9 “(i) ‘Federal creditable service’ means those periods of time for which a  
10 federal employee earned a federal pension.

11 “(ii) ‘Federal pension’ means any form of retirement allowance provided  
12 by the federal government, its agencies or its instrumentalities to retirees  
13 of the federal government or their beneficiaries.

14 “(f) Any amount included in federal taxable income for the tax year that  
15 is attributable to the conversion of a regular individual retirement account  
16 into a Roth individual retirement account described in section 408A of the  
17 Internal Revenue Code, to the extent that:

18 “(A) The amount was subject to the income tax of another state or the  
19 District of Columbia in a prior tax year; and

20 “(B) The taxpayer was a resident of the other state or the District of  
21 Columbia for that prior tax year.

22 “(g) Any amounts awarded to the taxpayer by the Public Safety Memorial  
23 Fund Board under ORS 243.954 to 243.974 to the extent that the taxpayer has  
24 not taken the amount as a deduction in determining the taxpayer’s federal  
25 taxable income for the tax year.

26 “(h) If included in taxable income for federal tax purposes, the amount  
27 withdrawn during the tax year in qualified withdrawals from a savings net-  
28 work account for higher education established under ORS 178.300 to 178.360.

29 “(i) Any federal deduction that the taxpayer would have been allowed for  
30 the production, processing or sale of marijuana items authorized under ORS

1 475B.010 to 475B.545 or 475B.785 to 475B.949 but for section 280E of the  
2 Internal Revenue Code.

3 “(j) Any federal deduction that the taxpayer would have been allowed for  
4 the manufacturing or sale of psilocybin products or the provision of  
5 psilocybin services authorized under sections 3 to 129, chapter 1, Oregon  
6 Laws 2021 (Ballot Measure 109 (2020)), but for section 280E of the Internal  
7 Revenue Code.

8 “(k) If included in taxable income for federal tax purposes, any distrib-  
9 utions from an ABLE account that do not exceed the qualified disability  
10 expenses of the designated beneficiary as provided in ORS 178.375 and 178.380  
11 and rules adopted by the Oregon 529 Savings Board.

12 **“(L) If included in taxable income for federal tax purposes, any**  
13 **amount of a tenant’s discharge of indebtedness income attributable to**  
14 **the forgiveness of a nonpayment balance under section 2 of this 2021**  
15 **Act.**

16 “(2) There shall be added to federal taxable income:

17 “(a) Interest or dividends, exempt from federal income tax, on obligations  
18 or securities of any foreign state or of a political subdivision or authority  
19 of any foreign state. However, the amount added under this paragraph shall  
20 be reduced by any interest on indebtedness incurred to carry the obligations  
21 or securities described in this paragraph and by any expenses incurred in the  
22 production of interest or dividend income described in this paragraph.

23 “(b) Interest or dividends on obligations of any authority, commission,  
24 instrumentality and territorial possession of the United States that by the  
25 laws of the United States are exempt from federal income tax but not from  
26 state income taxes. However, the amount added under this paragraph shall  
27 be reduced by any interest on indebtedness incurred to carry the obligations  
28 or securities described in this paragraph and by any expenses incurred in the  
29 production of interest or dividend income described in this paragraph.

30 “(c) The amount of any federal estate taxes allocable to income in respect

1 of a decedent not taxable by Oregon.

2 “(d) The amount of any allowance for depletion in excess of the taxpayer’s  
3 adjusted basis in the property depleted, deducted on the taxpayer’s federal  
4 income tax return for the taxable year, pursuant to sections 613, 613A, 614,  
5 616 and 617 of the Internal Revenue Code.

6 “(e) For taxable years beginning on or after January 1, 1985, the dollar  
7 amount deducted under section 151 of the Internal Revenue Code for personal  
8 exemptions for the taxable year.

9 “(f) The amount taken as a deduction on the taxpayer’s federal return for  
10 unused qualified business credits under section 196 of the Internal Revenue  
11 Code.

12 “(g) The amount of any increased benefits paid to a taxpayer under  
13 chapter 569, Oregon Laws 1995, under the provisions of chapter 796, Oregon  
14 Laws 1991, and under section 26, chapter 815, Oregon Laws 1991, that is not  
15 includable in the taxpayer’s federal taxable income under the Internal Rev-  
16 enue Code.

17 “(h) The amount of any long term care insurance premiums paid or in-  
18 curred by the taxpayer during the tax year if:

19 “(A) The amount is taken into account as a deduction on the taxpayer’s  
20 federal return for the tax year; and

21 “(B) The taxpayer claims the credit allowed under ORS 315.610 for the tax  
22 year.

23 “(i) Any amount taken as a deduction under section 1341 of the Internal  
24 Revenue Code in computing federal taxable income for the tax year, if the  
25 taxpayer has claimed a credit for claim of right income repayment adjust-  
26 ment under ORS 315.068.

27 “(j) If the taxpayer makes a nonqualified withdrawal, as defined in ORS  
28 178.300, from a savings network account for higher education established  
29 under ORS 178.300 to 178.360, the amount of the withdrawal that is attrib-  
30 utable to contributions that were subtracted from federal taxable income

1 under ORS 316.699.

2 “(k) If a taxpayer makes a withdrawal from a savings network account  
3 for higher education established under ORS 178.300 to 178.360 to pay ex-  
4 penses in connection with enrollment or attendance at an elementary or  
5 secondary school, the amount of the withdrawal that is attributable to con-  
6 tributions that were subtracted from federal taxable income under ORS  
7 316.699 and the amount of the withdrawal that is attributable to previously  
8 untaxed earnings and gains.

9 “(L) If the taxpayer makes a distribution from an ABLE account that is  
10 not a qualified disability expense of the designated beneficiary as provided  
11 in ORS 178.375 and 178.380 and rules adopted by the Oregon 529 Savings  
12 Board, the amount of the distribution that is attributable to contributions  
13 that were subtracted from federal taxable income under ORS 316.699.

14 “(3) Discount and gain or loss on retirement or disposition of obligations  
15 described under subsection (2)(a) of this section issued on or after January  
16 1, 1985, shall be treated for purposes of this chapter in the same manner as  
17 under sections 1271 to 1283 and other pertinent sections of the Internal  
18 Revenue Code as if the obligations, although issued by a foreign state or a  
19 political subdivision of a foreign state, were not tax exempt under the  
20 Internal Revenue Code.”.

21 On page 6, delete lines 10 and 11 and insert:

22 “(2) The amendments to ORS 316.680 by section 3 of this 2021 Act apply  
23 to tax years beginning on or after January 1, 2021, and before January 1,  
24 2022.”.

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