

SB 521 STAFF MEASURE SUMMARY

Senate Committee On Education

Action Date: 02/09/23

Action: Do pass and requesting referral to Ways and Means.

Vote: 6-1-0-0

Yeas: 6 - Anderson, Dembrow, Frederick, Gelsner Blouin, President Wagner, Weber

Nays: 1 - Robinson

Fiscal: Fiscal impact issued

Revenue: Revenue impact issued

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Meeting Dates: 1/31, 2/9

WHAT THE MEASURE DOES:

Amends ORS 291.345 to eliminate requirement that corporate kicker be dedicated to State School Fund and enact requirement that corporate kicker provides additional funding for kindergarten through grade 12 public education. Applies to revenues collected beginning in 2021-2023 biennium. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- History of corporate kicker
- Difference between constitutional and statutory requirements

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The 1979 Legislative Assembly enacted a surplus kicker statute along with a spending limit and a tax plan. Voters approved this package in the 1980 primary election. The 1999 Legislative Assembly referred a constitutional amendment placing much of the kicker statute in the Oregon Constitution. Voters approved that amendment in November 2000. The constitutional provision first applied to the kicker calculation following the 2001-2003 biennium. In 2012, Oregonians passed Ballot Measure 85 requiring the corporate kicker be dedicated to public K-12 education. Then in 2013, the Legislative Assembly enacted House Bill 2325, directing excess revenues from corporate income and excise taxes to the State School Fund. Senate Bill 521 realigns statutory language to comport with the constitutional requirement enacted in 2012.