

Senate Bill 1064

Sponsored by Senator SOLLMAN, Representative NERON; Senators PATTERSON, WOODS, Representatives BOICE, DEXTER, HIEB, WALTERS

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Allows Department of Revenue to establish electronic means for collection of elector signatures in support of inclusion of entity on schedule of income tax return for purpose of receiving contribution by means of checkoff.

Applies to elector signatures collected on or after January 1, 2024.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1 Relating to signature collection for charitable checkoff participation; creating new provisions;
2 amending ORS 305.720; and prescribing an effective date.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 305.720 is amended to read:

5 305.720. Subject to ORS 305.745, an entity qualifies to receive contributions by means of checkoff
6 if the entity:

7 (1) Supports private charitable causes or engages in public activities that are consistent with
8 policies and programs of the state and:

9 (a) Checkoff resources are used to augment existing programs or provide new funding to related
10 activities of proven value;

11 (b) Checkoff funds are not to be used to meet the administrative expenses of the entity;

12 (c) Programs funded by checkoff resources result in substantial and direct benefits to the human
13 and natural resources of the state that the Oregon Charitable Checkoff Commission determines are
14 unlikely to occur under existing public and private programs; and

15 (d) Unless the entity is a governmental entity, after checkoff resources are received by the en-
16 tity, the entity shows a pattern over several years of increasing its total revenues from other than
17 checkoff sources or reaches the level where no more than 50 percent of its revenues are from
18 checkoff sources.

19 (2) Is qualified to receive contributions that are tax deductible under the following:

20 (a) Section 170 of the Internal Revenue Code (relating to contributions and gifts to charitable
21 and governmental entities).

22 (b) Section 501(k) of the Internal Revenue Code (relating to contributions to certain organiza-
23 tions providing child care).

24 (c) Section 7871 of the Internal Revenue Code (relating to contributions to Indian tribal gov-
25 ernments).

26 (d) Any other federal law allowing a deduction from federal individual income tax for charitable
27 contributions to an entity classified by rule of the Department of Revenue as being an entity be-
28 longing to the general class described in paragraphs (a) to (c) of this subsection.
29

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 (3) Is:

2 (a) An Oregon Veterans' Home, as defined in ORS 408.362, the Nongame Wildlife Fund, the
3 Alzheimer's Disease Research Fund, the Oregon Military Emergency Financial Assistance Fund, the
4 Oregon Department of Veterans' Affairs Veterans Suicide Prevention and Outreach Program Fund,
5 the Prekindergarten Program Trust Fund, the Oregon Volunteer Firefighters Association, but only
6 if contributions are dedicated to the direct costs of firefighter training or to the assistance of a
7 firefighter, or a firefighter's immediate family, who has experienced hardship resulting from the
8 death, injury or illness of the firefighter, or the subaccount described in ORS 305.747 (4)(f) for con-
9 tributions dedicated to the prevention of child abuse and neglect;

10 (b) A nonprofit organization described in section 501(c)(3) of the Internal Revenue Code with a
11 gross income of at least \$1 million for the year prior to application; or

12 (c) The central office for a group of affiliated nonprofit organizations with a collective gross
13 income of at least \$1 million in the year prior to the year of application.

14 (4)(a) Collects 10,000 or more signatures from electors of this state attesting that the electors
15 support the entity qualifying for inclusion on a schedule of the Oregon individual income tax return.

16 **(b) The department may by rule establish electronic means for the collection of signa-
17 tures of electors under this subsection.**

18 (5) Makes application within the time and in the manner prescribed by ORS 305.725.

19 (6) Files a financial report, and other information, with the commission as described under ORS
20 305.730.

21 **SECTION 2. The amendments to ORS 305.720 by section 1 of this 2023 Act apply to elector
22 signatures collected on or after January 1, 2024.**

23 **SECTION 3. This 2023 Act takes effect on the 91st day after the date on which the 2023
24 regular session of the Eighty-second Legislative Assembly adjourns sine die.**