

**A-Engrossed**  
**Senate Bill 502**

Ordered by the Senate March 31  
Including Senate Amendments dated March 31

Sponsored by Senator GOLDEN (Presession filed.)

**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.

*[Requires State Forestry Department to study establishment of permanent trust fund for wildfire programs. Directs department to submit findings to interim committees of Legislative Assembly related to natural resources no later than September 15, 2024.]*

**Increases amount of estimate of revenues that will be received from General Fund revenue sources other than corporate tax revenues for biennium beginning July 1, 2021. Requires distribution of difference between amount actually collected and amount estimated after close of 2023 regular session, first as equal per capita payments to personal income taxpayers in lieu of kicker payments, then as transfer of remainder to Oregon Wildfire Mitigation and Adaptation Fund. Establishes Oregon Wildfire Mitigation and Adaptation Fund, with interest earned by fund to be used for wildfire mitigation and community adaptation to wildfire risk. Provides for pro rata return to taxpayers of surplus revenue over adjusted estimate amount if constitutional threshold is exceeded.**

**Declares emergency, effective on passage.**

**A BILL FOR AN ACT**

1  
2 Relating to establishing a permanent trust fund for wildfire programs; declaring an emergency; and  
3 providing for revenue estimate modification that requires approval by a two-thirds majority.

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

5 **SECTION 1. Pursuant to Article IX, section 14 (6)(a), of the Oregon Constitution, the**  
6 **Legislative Assembly increases the amount of the estimate of revenues that will be received**  
7 **from revenue sources other than corporate excise or income taxes for the biennium begin-**  
8 **ning July 1, 2021, to \$27 billion.**

9 **SECTION 2. (1) Except as provided in subsection (2) of this section, any positive differ-**  
10 **ence between the actual amount of revenues collected from revenue sources other than**  
11 **corporate excise or income taxes for the biennium beginning July 1, 2021, and the estimate**  
12 **made for that biennium pursuant to Article IX, section 14 (1), of the Oregon Constitution,**  
13 **shall be transferred:**

14 **(a) First, to a suspense account established in the State Treasury, to be continuously**  
15 **appropriated to the Department of Revenue for the purpose of making the payments required**  
16 **under section 4 of this 2023 Act; and**

17 **(b) To the extent that amounts remain after the transfer described in paragraph (a) of**  
18 **this subsection, to the Oregon Wildfire Mitigation and Adaptation Fund established under**  
19 **section 3 of this 2023 Act.**

20 **(2) If the actual amount of revenues collected from revenue sources other than corporate**  
21 **excise or income taxes for the biennium beginning July 1, 2021, exceeds the amount of the**  
22 **estimate made in section 1 of this 2023 Act by two percent or more:**

**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 (a) The difference between the actual amount of revenues and the estimate made in  
2 section 1 of this 2023 Act shall be returned to personal income taxpayers in the manner  
3 provided in ORS 291.349; and

4 (b) The difference between the estimate of revenues made in section 1 of this 2023 Act  
5 and the estimate made for the biennium beginning July 1, 2021, pursuant to Article IX, sec-  
6 tion 14 (1), of the Oregon Constitution, shall be transferred to the Oregon Wildfire Mitigation  
7 and Adaptation Fund established under section 3 of this 2023 Act.

8 **SECTION 3.** (1) The Oregon Wildfire Mitigation and Adaptation Fund is established in the  
9 State Treasury, separate and distinct from the General Fund. Interest earned by the Oregon  
10 Wildfire Mitigation and Adaptation Fund shall be credited to the fund, and shall be used  
11 solely for the purposes of wildfire mitigation and community adaptation to wildfire risk. The  
12 principal of the fund shall be retained in the fund.

13 (2) The Legislative Assembly may not appropriate moneys other than interest earned by  
14 the fund from the Oregon Wildfire Mitigation and Adaptation Fund.

15 **SECTION 4.** (1) Not later than December 15, 2023, the Department of Revenue shall make  
16 a payment to each taxpayer who has timely filed a full-year, resident personal income tax  
17 return for the 2022 tax year. The payment under this subsection shall be \$1,000 per return,  
18 regardless of the type of return filed.

19 (2) The payments required under this section shall be in lieu of any amount of surplus  
20 credit otherwise required under ORS 291.349 for the biennium ending June 30, 2023, as would  
21 otherwise be claimed on tax returns filed for tax years beginning during calendar year 2023.

22 **SECTION 5.** This 2023 Act being necessary for the immediate preservation of the public  
23 peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect  
24 on its passage.  
25