

House Bill 2235

Sponsored by Representative BOSHART DAVIS (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 **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act makes a new tax credit for a security system for a small business. (Flesch Readability Score: 67.5).

Creates an income or corporate excise tax credit for the installation of or upgrades to a security alarm system at certain business premises.

Applies to tax years beginning on or after January 1, 2026, and before January 1, 2032.

Takes effect on the 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to a tax credit for security systems; creating new provisions; amending ORS 314.772 and
3 318.031; and prescribing an effective date.

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

5 **SECTION 1. Section 2 of this 2025 Act is added to and made a part of ORS chapter 315.**

6 **SECTION 2. (1) As used in this section:**

7 (a) **"Eligible premises" means a location in this state at which an entity that at the close**
8 **of the tax year has fewer than 50 full-time equivalent employees throughout the state is do-**
9 **ing business.**

10 (b) **"Security alarm system" means a device or system of interconnected devices, hard-**
11 **ware and related appurtenances, designed to give warning of activities indicative of criminal**
12 **conduct or unauthorized entry upon protected premises. "Security alarm system" does not**
13 **include a system that does not incorporate an audible annunciator, a remote annunciator or**
14 **an automatic dialer or a system that is owned, maintained and monitored by any government**
15 **law enforcement agency in furtherance of law enforcement duties.**

16 (c) **"Upgrade to a security alarm system" means the installation of additional equipment**
17 **or enhancement of service provided by an existing security alarm system.**

18 (2) **A credit against taxes that are otherwise due under ORS chapter 316 or, if the tax-**
19 **payer is a corporation, under ORS chapter 317 or 318 is allowed to a taxpayer for the in-**
20 **stallation of or upgrades to a security alarm system at an eligible premises owned or leased**
21 **by the taxpayer during the tax year.**

22 (3) **The credit under this section is allowed for:**

23 (a) **The installed price of a security alarm system that is installed during the tax year**
24 **at an eligible premises:**

25 (A) **That lacks a current security alarm system; or**

26 (B) **At which the current security alarm system was initially installed more than 10 years**
27 **prior to the current tax year, and has not been upgraded; or**

28 (b) **The installed price of upgrades to a security alarm system.**

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 **(4) The credit shall be claimed on a form prescribed by the Department of Revenue that**
 2 **contains the information required by the department.**

3 **(5) The credit allowed under this section may not exceed the tax liability of the taxpayer**
 4 **for the tax year.**

5 **(6) Any tax credit otherwise allowable under this section that is not used by the taxpayer**
 6 **in a particular tax year may be carried forward and offset against the taxpayer's tax liability**
 7 **for the next succeeding tax year. Any credit remaining unused in the next succeeding tax**
 8 **year may be carried forward and used in the second succeeding tax year, and likewise any**
 9 **credit not used in that second succeeding tax year may be carried forward and used in the**
 10 **third succeeding tax year but may not be carried forward for any other succeeding tax year.**

11 **SECTION 3.** ORS 314.772 is amended to read:

12 314.772. (1) Except as provided in ORS 314.766 (5)(b), the tax credits allowed or allowable to a
 13 C corporation for purposes of ORS chapter 317 or 318 shall not be allowed to an S corporation. The
 14 business tax credits allowed or allowable for purposes of ORS chapter 316 shall be allowed or are
 15 allowable to the shareholders of the S corporation.

16 (2) In determining the tax imposed under ORS chapter 316, as provided under ORS 314.763, on
 17 income of the shareholder of an S corporation, there shall be taken into account the shareholder's
 18 pro rata share of business tax credit (or item thereof) that would be allowed to the corporation (but
 19 for subsection (1) of this section) or recapture or recovery thereof. The credit (or item thereof), re-
 20 capture or recovery shall be passed through to shareholders in pro rata shares as determined in the
 21 manner prescribed under section 1377(a) of the Internal Revenue Code.

22 (3) The character of any item included in a shareholder's pro rata share under subsection (2)
 23 of this section shall be determined as if such item were realized directly from the source from which
 24 realized by the corporation, or incurred in the same manner as incurred by the corporation.

25 (4) If the shareholder is a nonresident and there is a requirement applicable for the business tax
 26 credit that in the case of a nonresident the credit be allowed in the proportion provided in ORS
 27 316.117, then that provision shall apply to the nonresident shareholder.

28 (5) As used in this section, "business tax credit" means the following credits: ORS 315.104
 29 (forestation and reforestation), ORS 315.124 (small forest option), ORS 315.133 (agricultural overtime
 30 pay), ORS 315.138 (fish screening, by-pass devices, fishways), ORS 315.141 (biomass production for
 31 biofuel), ORS 315.156 (crop gleaning), ORS 315.164 and 315.169 (agriculture workforce housing), ORS
 32 315.176 (bovine manure), ORS 315.204 (dependent care assistance), ORS 315.208 (dependent care fa-
 33 cilities), ORS 315.213 (contributions for child care), ORS 315.237 (employee and dependent scholar-
 34 ships), ORS 315.271 (individual development accounts), ORS 315.283 (affordable housing sales), ORS
 35 315.304 (pollution control facility), ORS 315.326 (renewable energy development contributions), ORS
 36 315.331 (energy conservation projects), ORS 315.336 (transportation projects), ORS 315.341
 37 (renewable energy resource equipment manufacturing facilities), ORS 315.354 and 469B.151 (energy
 38 conservation facilities), ORS 315.506 (tribal taxes on reservation enterprise zones and reservation
 39 partnership zones), ORS 315.507 (electronic commerce), ORS 315.514 (film production development
 40 contributions), ORS 315.518 (semiconductors), ORS 315.523 (employee training programs), ORS
 41 315.533 (low income community jobs initiative), ORS 315.593 (short line railroads), ORS 315.640
 42 (university venture development funds), ORS 315.643 (Opportunity Grant Fund contributions), ORS
 43 315.675 (Trust for Cultural Development Account contributions), ORS 317.097 (loans for affordable
 44 housing), ORS 317.124 (long term enterprise zone facilities), ORS 317.147 (loans for agriculture
 45 workforce housing), ORS 317.152 (qualified research expenses) and ORS 317.154 (alternative qualified

1 research expenses) and section 9, chapter 774, Oregon Laws 2013 (alternative fuel vehicle contribu-
2 tions), **and section 2 of this 2025 Act (security alarm systems).**

3 **SECTION 4.** ORS 318.031 is amended to read:

4 318.031. It being the intention of the Legislative Assembly that this chapter and ORS chapter
5 317 shall be administered as uniformly as possible (allowance being made for the difference in im-
6 position of the taxes), ORS 305.140 and 305.150, ORS chapter 314 and the following sections are in-
7 corporated into and made a part of this chapter: ORS 315.104, 315.124, 315.133, 315.141, 315.156,
8 315.176, 315.204, 315.208, 315.213, 315.283, 315.304, 315.326, 315.331, 315.336, 315.506, 315.507, 315.523,
9 315.533, 315.593 and 315.643 **and section 2 of this 2025 Act** (all only to the extent applicable to a
10 corporation) and ORS chapter 317.

11 **SECTION 5.** **Section 2 of this 2025 Act applies to tax years beginning on or after January**
12 **1, 2026, and before January 1, 2032.**

13 **SECTION 6.** **This 2025 Act takes effect on the 91st day after the date on which the 2025**
14 **regular session of the Eighty-third Legislative Assembly adjourns sine die.**

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