

# Senate Bill 405

Sponsored by Senator GIROD (Pre-session 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 would match the estate tax exemption to the federal amount. (Flesch Readability Score: 67.7).

Provides that, for the estates of decedents dying on or after January 1, 2026, Oregon estate tax is not due unless the value of the Oregon taxable estate exceeds \$13.61 million. Raises the threshold for the filing of an estate tax return to a gross estate valued at more than \$13.61 million.

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

## A BILL FOR AN ACT

1  
2 Relating to conforming estate tax to federal basic exclusion amount; creating new provisions;  
3 amending ORS 118.160; 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 118.**

6 **SECTION 2. Notwithstanding ORS 118.010 (4), no tax is due under this chapter with re-**  
7 **spect to the estates of decedents who die on or after January 1, 2026, unless the value of the**  
8 **Oregon taxable estate exceeds \$13.61 million.**

9 **SECTION 3. ORS 118.160 is amended to read:**

10 118.160. (1) Except as provided in subsection (2) of this section:

11 (a) An inheritance tax return is not required with respect to the estates of decedents who die  
12 on or after January 1, 1987, and before January 1, 2003, unless a federal estate tax return is re-  
13 quired to be filed;

14 (b) An inheritance tax return is not required with respect to the estates of decedents who die  
15 on or after:

16 (A) January 1, 2003, and before January 1, 2004, unless the value of the gross estate is \$700,000  
17 or more;

18 (B) January 1, 2004, and before January 1, 2005, unless the value of the gross estate is \$850,000  
19 or more;

20 (C) January 1, 2005, and before January 1, 2006, unless the value of the gross estate is \$950,000  
21 or more; or

22 (D) January 1, 2006, and before January 1, 2012, unless the value of the gross estate is \$1 million  
23 or more; and

24 (c) An estate tax return is not required with respect to the estates of decedents who die on or  
25 after:

26 (A) January 1, 2012, **and before January 1, 2026**, unless the value of the gross estate is \$1  
27 million or more[.]; **or**

28 **(B) January 1, 2026, unless the value of the gross estate exceeds \$13.61 million.**

**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 (2) In every estate, whether or not subject to administration and whether or not a federal estate  
2 tax return is required to be filed, the executor shall at such times and in such manner as required  
3 by rules of the Department of Revenue, file with the department a return in a form provided by the  
4 department setting forth a list and description of all transfers of property, in trust or otherwise,  
5 made by the decedent in the lifetime of the decedent as a division or distribution of the estate of  
6 the decedent and any further data that the department requires to determine estate tax under this  
7 chapter.

8 **SECTION 4. This 2025 Act takes effect on the 91st day after the date on which the 2025**  
9 **regular session of the Eighty-third Legislative Assembly adjourns sine die.**

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