

Requested by Representative GAMBA

**PROPOSED AMENDMENTS TO
HOUSE BILL 3489**

On page 1 of the printed bill, line 2, after the second semicolon delete the rest of the line and delete lines 3 through 10 and insert “amending ORS 321.005, 321.017, 321.045, 321.145, 321.152, 321.550, 321.684, 350.525, 477.281, 477.750, 477.755 and 477.760; and repealing ORS 321.011, 321.012, 321.015, 321.035 and 321.185 and sections 4, 5, 6 and 7, chapter 31, Oregon Laws 2022; providing for revenue raising that requires approval by a three-fifths majority; and providing that this Act shall be referred to the people for their approval or rejection.”.

Delete lines 12 through 24 and delete pages 2 through 25 and insert:

“SECTION 1. ORS 321.011, 321.012, 321.015, 321.035 and 321.185 and sections 4, 5, 6 and 7, chapter 31, Oregon Laws 2022, are repealed.

“SECTION 2. ORS 321.005 is amended to read:

“321.005. As used in ORS 321.005 to 321.185, 321.560 to 321.600 and 477.440 to 477.460, unless the context requires otherwise:

“[(1) ‘Board’ means the State Board of Forestry.]

“[(2) ‘Protected forestlands’ means those lands which are protected from the starting or spread of fire thereon or therefrom by:]

“[(a) The State Forester, with the approval of the board;]

“[(b) The United States of America through contract with the State Forester;]

“[(c) Any forest protective agency under contract with the State Forester or

1 *the board pursuant to ORS 477.406; or]*

2 *“[(d) Any forest protective agency, described in paragraph (c) of this sub-*
3 *section, under an agreement with the United States of America wherein such*
4 *agency agrees to protect specific federal forestlands and, in return, the United*
5 *States of America agrees to protect specific lands of such agency.]*

6 *“[(3) ‘Department’ means the Department of Revenue.]*

7 *“[(4) ‘Committee’ means the Emergency Fire Cost Committee.]*

8 *“[(5)] (1) ‘Forestland’ means any land producing forest products.*

9 *“[(6)] (2) ‘Forest products’ means products from harvested timber, but does*
10 *not include products from short rotation fiber grown under agricultural*
11 *conditions as described in ORS 321.267 (3) or 321.824 (3), western juniper or*
12 *products from harvested western juniper.*

13 *“[(7)] (3) ‘Harvest’ means the point at which timber that has been cut,*
14 *severed, or removed for purposes of sale or use is first measured in the or-*
15 *inary course of business as determined by reference to common practice in*
16 *the timber industry.*

17 *“[(8)] (4) ‘Merchantable stand of timber’ means any stand on forestlands*
18 *containing living or dead timber which is being or can be harvested.*

19 *“[(9) ‘Taxpayer’ means the owner of timber at time of harvest.]*

20 *“[(10) ‘Taxes’ means the taxes provided for in ORS 321.015.]*

21 *“[(11)] (5) ‘Owner of timber’ means any individual or combination of in-*
22 *dividuals, partnership, firm, corporation or association of whatever nature*
23 *holding title to harvested timber by virtue of:*

24 *“(a) An instrument of conveyance;*

25 *“(b) The harvesting of the timber; or*

26 *“(c) The harvesting of the timber and payment therefor.*

27 **“(6) ‘Private severance tax’ means the tax imposed under section 4**
28 **(1) of this 2025 Act.**

29 **“(7) ‘Public severance tax’ means the tax imposed under section 4**
30 **(2) of this 2025 Act.**

1 “(8)(a) ‘Taxpayer,’ except as provided in paragraph (b) of this sub-
2 section, means the owner of timber at time of harvest.

3 “(b) ‘Taxpayer’ means:

4 “(A) For purposes of the private severance tax, the owner of the
5 land from which the timber is harvested.

6 “(B) For purposes of the public severance tax, the first person not
7 exempt from ad valorem property taxes to acquire legal title or bene-
8 ficial rights to the timber after felling when the trees were owned by
9 a state, federal or other tax-exempt person, such as the United States
10 Forest Service or the Bureau of Land Management.

11 “[(12)] (9) ‘Timber’ means all logs which can be measured in board feet
12 and other forest products as determined by department rule.

13 “**SECTION 3.** Section 4 of this 2025 Act is added to and made a part
14 of ORS 321.005 to 321.185.

15 “**SECTION 4.** (1)(a) A severance tax is imposed at the rate of five
16 percent on the stumpage value of unprocessed timber harvested on
17 private land by a taxpayer for any calendar year in excess of the
18 stumpage value of the first 25,000 feet, board measure, of unprocessed
19 timber harvested by the taxpayer for the same year.

20 “(b) The taxpayer may claim a nonrefundable credit against the
21 private severance tax in an amount equal to 100 percent of the
22 taxpayer’s net income tax paid with respect to the sale of the timber.

23 “(2) A severance tax is imposed at the rate of five percent on the
24 stumpage value of unprocessed timber harvested on public land by a
25 taxpayer for any calendar year in excess of the stumpage value of the
26 first 25,000 feet, board measure, of unprocessed timber harvested by
27 the taxpayer for the same year.

28 “**SECTION 5.** ORS 321.017 is amended to read:

29 “321.017. (1) *[In addition to the taxes levied under ORS 321.015 (1) to (4),*
30 *there hereby is levied]* A privilege tax **is levied** upon taxpayers on the har-

1 vesting of all merchantable forest products harvested on forestlands in the
2 amount provided in subsection (2) of this section.

3 “(2) The rate of tax levied *[in]* **under** subsection (1) of this section shall
4 be established annually at the beginning of each calendar year by the board
5 of directors of the Oregon Forest Resources Institute, at a rate not to exceed
6 75 cents per thousand feet, board measure, adjusted annually for inflation
7 since 1991 based on the Consumer Price Index for All Urban Consumers,
8 West Region (All Items), as published by the Bureau of Labor Statistics of
9 the United States Department of Labor.

10 “[*(3) The tax shall be measured by and be applicable to each per thousand*
11 *feet, board measure, and such shall be subject to and determined by the pro-*
12 *cedures and provisions of ORS 321.015 (5) and (6).]*

13 “**(3)(a) Subject to subsection (4) of this section, the tax shall be**
14 **measured by and be applicable to each per thousand feet, board**
15 **measure, on the total quantity of forest products harvested in this**
16 **state measured by use of any log scale that is or may be in general**
17 **use in the logging industry and that is designed to measure total vol-**
18 **ume of merchantable forest products in board feet.**

19 “**(b) Notwithstanding paragraph (a) of this subsection, if the De-**
20 **partment of Revenue finds that the scale used by any taxpayer in**
21 **computing the taxes due under ORS 321.005 to 321.185 and 321.560 to**
22 **321.600 does not accurately reflect the total quantity of merchantable**
23 **forest products harvested by the taxpayer, it may require the taxpayer**
24 **to adopt another log scale in general use in the industry that in the**
25 **department’s opinion will accurately reflect merchantable harvest in**
26 **board feet.**

27 “**(4) The first 25,000 feet, board measure, of forest products har-**
28 **vested annually by any taxpayer during each calendar year shall be**
29 **excluded from the total quantity of harvested forest products that**
30 **constitutes the measure of the taxes under ORS 321.005 to 321.185 and**

1 **321.560 to 321.600.**

2 “[~~(4)~~] **(5)** The tax levied [by] **under** subsection (1) of this section shall be
3 due and payable to the Department of Revenue in the manner and **according**
4 **to the** procedure, including penalties and interest, [as] set forth for the col-
5 lection of [*the privilege tax in*] **taxes under** ORS 321.005 to 321.185.

6 “[~~(5)~~] **(6)** The revenue from the tax levied [by] **under** subsection (1) of this
7 section shall be remitted to the State Treasurer who shall deposit it in a
8 suspense account established under ORS 321.145 (1). [*After payment of re-*
9 *funds, which shall be paid in the same manner as other forest products harvest*
10 *tax refunds are paid in ORS 321.145 (2), the balance of the additional tax*
11 *imposed under subsection (1) of this section shall be deposited in the Oregon*
12 *Forest Resources Institute Fund.*]

13 **“SECTION 6.** ORS 321.045 is amended to read:

14 “321.045. (1) The taxes levied under ORS [~~321.015~~] **321.017 and section 4**
15 **of this 2025 Act** shall be due and payable annually, on or before April 15,
16 for the preceding calendar year. The [~~tax~~] **taxes** shall be delinquent if not
17 paid by the due date, which shall be determined without regard to any ex-
18 tension of time for filing the return.

19 “(2)(a) Subject to the provisions relating to estimated tax payments pro-
20 vided in subsections (4) and (5) of this section, on or before April 15, each
21 taxpayer shall make out a return on the form prescribed by the Department
22 of Revenue showing the amount of the tax for which the taxpayer is liable
23 for the preceding calendar year and the other information the department
24 considers necessary to correctly determine the tax due and shall mail or de-
25 liver the return, together with a remittance for the amount of the tax, to the
26 office of the department.

27 “(b) The return shall be signed and verified by the taxpayer or a duly
28 authorized agent of the taxpayer.

29 “(c) Whenever in its judgment good cause exists, the department may al-
30 low upon written application made on or before the due date further time

1 not exceeding 30 days for filing a return.

2 “(3) All payments received under ORS 321.005 to 321.185 and 321.560 to
3 321.600 shall be credited, first, to penalty and interest accrued, and then to
4 tax due.

5 “(4)(a) Each taxpayer expecting to incur a liability pursuant to this sec-
6 tion in excess of \$1,500 for any calendar year shall, on forms prescribed by
7 the Department of Revenue, make and file with the department on or before
8 the last day of the month following the end of each calendar quarter an es-
9 timate of the taxpayer’s tax liability for the year.

10 “(b) At least one-quarter of the estimated tax shall be remitted to the
11 department with each estimated tax report and the balance shall be remitted
12 to the department on or before the last day of January of the following cal-
13 endar year, without regard to any extension of time for filing the return.

14 “(5)(a) **No penalty or interest shall be charged** if the amount remitted
15 with an estimated tax report filed on or before the due date [*thereof*] is:

16 “(A) At least 25 percent of the tax of the taxpayer as due for the calendar
17 year preceding the year for which the report is made; [*or*]

18 “(B) At least 20 percent of the taxpayer’s tax liability as due for the year
19 for which the report is made[,]; or

20 “(C) 100 percent of the tax liability [*on the actual merchantable forest*
21 *products harvested*] for the calendar quarter preceding the due date of the
22 estimated tax report[, *no penalty or interest shall be charged*].

23 “(b) Otherwise a penalty in the form of interest at the rate established
24 under ORS 305.220 shall be assessed for the period of delinquency calculated
25 on the difference between the payment made and the payment that would
26 have been due had the taxpayer estimated the liability for the quarter in an
27 amount equal to the liability as due for such quarter.

28 “(c) The provisions of ORS chapters 305 and 314 relating to penalties and
29 interest shall not apply to the estimated tax payments described in this sec-
30 tion.

1 **“SECTION 7.** ORS 321.145 is amended to read:

2 “321.145. (1) The revenue from the taxes levied [by] **under** ORS 321.005
3 to 321.185 and 321.560 to 321.600 shall be remitted to the State Treasurer who
4 shall deposit it in a suspense account established under the provisions of
5 ORS 293.445.

6 “(2)(a) Notwithstanding the provisions of ORS 291.238, the amount of
7 moneys necessary to pay refunds of the taxes levied under ORS [321.015 (1)
8 to (4) hereby] **321.005 to 321.185** is [appropriated] continuously **appropriated**
9 to the Department of Revenue from the suspense account referred to in sub-
10 section (1) of this section, and shall be used by the department for the pay-
11 ment of all refunds of **the** taxes [levied under ORS 321.015 (1) to (4)] that
12 have been audited and approved by the department.

13 “(b) Any penalties, interest and taxes then due from the taxpayer shall
14 be applied in that order in computing any refund, and only the balance due
15 the taxpayer, if any, shall be refunded.

16 “(c) The department shall on its records charge each refund against the
17 revenue from the [tax] **taxes** with respect to which the refund is made.

18 **“SECTION 8.** ORS 321.152 is amended to read:

19 “321.152. (1) Subject to ORS 321.145 (2), moneys remaining in the Depart-
20 ment of Revenue’s suspense account referred to in ORS 321.145 on February
21 10, May 10, August 10 and November 10 of each year shall be transferred to
22 the respective appropriation accounts described in subsections (2) **and (3)**
23 [to (5)] of this section.

24 “[(2) *That part of the moneys derived from taxes levied by ORS 321.015 (1)*
25 *shall be transferred to the Forest Research and Experiment Account described*
26 *in ORS 321.185.*]

27 “[(3) *That part of the moneys derived from taxes levied by ORS 321.015 (3)*
28 *shall be transferred to the State Forestry Department Account referred to in*
29 *ORS 526.060. Notwithstanding ORS 291.238, the moneys transferred to the*
30 *State Forestry Department Account under this section are appropriated con-*

1 *tinuously for and shall be used by the State Forester, under the supervision*
2 *and direction of the State Board of Forestry, for the purposes of administering*
3 *the Oregon Forest Practices Act and the forest practices monitoring*
4 *program.]*

5 *“(4) That part of the moneys derived from taxes levied by ORS 321.015 (2)*
6 *shall be transferred to the Oregon Forest Land Protection Fund described in*
7 *ORS 477.750.]*

8 *“(5) That part of the moneys derived from taxes levied by ORS 321.015 (4)*
9 *shall be transferred to the subaccount established pursuant to ORS 350.520.]*

10 **“(2) Moneys from the tax levied under ORS 321.017 shall be deposited**
11 **in the Oregon Forest Resources Institute Fund created under ORS**
12 **526.675.**

13 **“(3) Moneys from the tax levied under section 4 of this 2025 Act**
14 **shall be distributed as follows, in amounts capped by the funding**
15 **amount budgeted for each expense in the current biennium, indexed**
16 **for inflation:**

17 **“(a) One-third to the State Forestry Department for the following**
18 **purposes:**

19 **“(A) Administering the Oregon Forest Practices Act;**

20 **“(B) Education and research for wildfire workforce development by**
21 **the Oregon State University College of Forestry;**

22 **“(C) Outreach programs for kindergarten through grade 12 public**
23 **education and universities by Oregon State University in collaboration**
24 **with the Higher Education Coordinating Commission;**

25 **“(D) Collaboration between the Oregon Conservation Corps Pro-**
26 **gram and the Higher Education Coordinating Commission; and**

27 **“(E) State Forestry Department fire suppression programs.**

28 **“(b) One-third to the State Fire Marshal for any activities delegated**
29 **to the State Fire Marshal under law, with an emphasis on community**
30 **risk reduction programs, including, but not limited to, home assess-**

1 **ments and activities to increase the fire readiness of buildings and**
2 **their surrounding landscapes, implemented in collaboration with local**
3 **governments, firefighting organizations and private property owners.**

4 **“(c) One-third to the governing bodies of the counties from which**
5 **the tax revenues are received with no restriction on their use.**

6 **“SECTION 9.** ORS 321.550 is amended to read:

7 “321.550. (1) No person shall harvest or cause to be harvested any timber
8 from land in Oregon without first having notified the State Forester in
9 writing with a copy to the Department of Revenue on forms prepared by the
10 State Forester and the department of intent to harvest pursuant to ORS
11 321.005 to 321.185, 321.560 to 321.600 and 321.700 to 321.754.

12 “(2) The notification shall specify where and when the harvest will take
13 place and the nature of the harvest and shall include maps and other data
14 as required by the State Forester and the department. The department shall
15 establish by rule procedures to assure the receipt of the tax returns sent out
16 or a report of nonharvest from the person. The department shall conduct
17 field and office audits to ascertain the correctness of any timber tax return.

18 “(3)(a) If a person fails to file a written notice as required in subsection
19 (1) of this section with respect to any harvest over 5,000 board feet, the de-
20 partment shall notify the person. If, after the person has been notified, the
21 person fails to file a written notice as required in subsection (1) of this sec-
22 tion with respect to any subsequent harvest over 5,000 board feet, there shall
23 be added to the amount of the timber tax required to be shown on the return
24 as a result of the subsequent harvest a delinquency penalty of \$250 for each
25 violation occurring within a calendar year. The department shall collect the
26 penalty in the same manner as taxes are collected.

27 “(b) No penalty shall be imposed under this subsection if a penalty for
28 failure to file the notice with the State Forester has been imposed under ORS
29 527.992.

30 “(c) The delinquency penalty shall first be added to the small tract

1 forestland timber severance tax imposed under ORS 321.700 to 321.754, if
2 applicable to the harvest. If the small tract forestland timber severance tax
3 is not applicable, the delinquency penalty shall be added to the [*forest pro-*
4 *ducts harvest tax*] **taxes** imposed under ORS 321.005 to 321.185.

5 **“SECTION 10.** ORS 321.684 is amended to read:

6 “321.684. (1) The Department of Revenue may:

7 “(a) Furnish to any taxpayer or authorized representative, upon request
8 of the taxpayer or authorized representative, a copy of the taxpayer’s [*forest*
9 *products harvest*] tax report or return required by ORS 321.045 or 321.741 that
10 is filed with the department for any year, or a copy of any report filed by
11 the taxpayer in connection with the return.

12 “(b) Publish a list of taxpayers who are entitled to unclaimed tax refunds.

13 “(c) Publish statistics classified so as to prevent the identification of
14 taxable value or any particulars contained in any report or return.

15 “(d) Disclose a taxpayer’s name, address and Social Security number or
16 employer identification number to the extent necessary in connection with
17 the processing and mailing of forms for any report or return required in the
18 administration of ORS 321.045 and 321.741.

19 “(e) Disclose to the State Forester, upon request of the forester, for the
20 purpose of soliciting nominations and recommendations referred to in ORS
21 526.610, the names of producers meeting producer class qualifications estab-
22 lished under ORS 526.610 who filed [*forest products harvest*] tax returns **un-**
23 **der ORS 321.005 to 321.185.**

24 “(f) Disclose appraisal data collected to make determinations of specially
25 assessed value of forestland under ORS 321.201 to 321.222 to any member of
26 a forestland value advisory committee the department has convened under
27 ORS 321.213.

28 “(2) The department also may disclose and give access to information de-
29 scribed in ORS 321.682 to:

30 “(a) The Commissioner of Internal Revenue or authorized representative,

1 for tax purposes only.

2 “(b) The United States Forest Service, Bureau of Land Management and
3 the State Forestry Department pursuant to their regulatory programs and for
4 investigative purposes related to timber theft.

5 “(c) The Attorney General, assistants and employees in the Department
6 of Justice or other legal representative of the State of Oregon, to the extent
7 the department considers disclosure or access necessary for the performance
8 of the duties of advising or representing the department pursuant to ORS
9 321.045 and 321.741.

10 “(d) Employees of the State of Oregon, other than the Department of
11 Revenue or Department of Justice, to the extent the department considers
12 disclosure or access necessary for such employees to perform their duties
13 under contracts or agreements between the department and any other de-
14 partment, agency or subdivision of the State of Oregon in the department’s
15 administration of the tax laws.

16 “(e) The Legislative Revenue Officer or the authorized representative of
17 the Legislative Revenue Officer upon compliance with ORS 173.850. The of-
18 ficer or representative may not remove from the premises of the department
19 any materials that would reveal the identity of any taxpayer or any other
20 person or the volume of harvest and value reported on individual returns and
21 reports.

22 “(f) Any agency of the State of Oregon, or any person, or any officer or
23 employee of the agency or person to whom disclosure or access is given by
24 state law and not otherwise referred to in this section, including but not
25 limited to the Secretary of State as Auditor of Public Accounts under section
26 2, Article VI of the Constitution of the State of Oregon.

27 “(3) Each officer or employee of the department and each person described
28 or referred to in subsection (2)(b) to (f) of this section to whom disclosure
29 or access to the tax information is given under subsection (2) of this section
30 or any other provision of state law, prior to beginning employment or the

1 performance of duties involving such disclosure or access, shall be advised
2 in writing of the provisions of ORS 321.682 and 321.686 relating to penalties
3 for the violation of ORS 321.682, and shall, as a condition of employment or
4 performance of duties, execute a certificate for the department, in a form
5 prescribed by the department, stating in substance that the person has read
6 these provisions of law, that the person has had them explained and that the
7 person is aware of the penalties for the violation of ORS 321.682.

8 **“SECTION 11.** ORS 350.525 is amended to read:

9 “350.525. ORS 350.500 to 350.530 do not establish any obligation or ex-
10 pectation for the appropriation of General Fund moneys to the subaccount
11 described in ORS 350.520 or any obligation or expectation that moneys from
12 [*forest products harvest taxes*] **the taxes levied under ORS 321.005 to**
13 **321.185** will be increased or reallocated for deposit to the subaccount de-
14 scribed in ORS 350.520.

15 **“SECTION 12.** ORS 477.281 is amended to read:

16 “477.281. (1) The obligation of an owner of timberland or grazing land for
17 payment of assessments and taxes for fire protection of forestland is limited
18 to:

19 “(a) The payment of moneys pursuant to [*ORS 321.015 (2),*] 477.277,
20 477.295, 477.760 (4) and 477.880 to maintain the Oregon Forest Land Pro-
21 tection Fund; and

22 “(b) The payment of forest protection district assessments pursuant to
23 ORS 477.205 to 477.281.

24 “(2) As used in this section, ‘obligation of an owner of timberland or
25 grazing land for payment of assessments and taxes for fire protection of
26 forestland’ does not include the duties or obligations of the owner under ORS
27 477.066, 477.068 or 477.120 or the obligations of an owner of land included in
28 a rural fire protection district pursuant to ORS 478.010.

29 **“SECTION 13.** ORS 477.750 is amended to read:

30 “477.750. [(1)] The Oregon Forest Land Protection Fund is created, sepa-

1 rate and distinct from the General Fund. This fund shall be held by the State
2 Treasurer as a trust fund for the uses and purposes provided in ORS 477.750
3 to 477.775 and 477.880. The State Treasurer shall deposit and invest moneys
4 in the fund as provided by law, taking into account its uses and purposes.
5 Interest earned by the fund shall be credited to the fund.

6 *“[(2) Notwithstanding any other law and as limited by ORS 477.750 to*
7 *477.775 and 477.880, that part of the suspense account created by ORS 321.145*
8 *that is derived from the tax levied by ORS 321.015 (2) after refunds and other*
9 *costs permitted by law, shall be credited to the Oregon Forest Land Protection*
10 *Fund.]*

11 **“SECTION 14.** ORS 477.755 is amended to read:

12 “477.755. (1) As used in this section, ‘annual expenditure’ means the ex-
13 penses of the Oregon Forest Land Protection Fund obligated in any 12-month
14 period designated by the Emergency Fire Cost Committee by rule, corre-
15 sponding to the policy period of any insurance for emergency fire costs.

16 “(2) Notwithstanding ORS 291.238, the moneys in the Oregon Forest Land
17 Protection Fund are continuously appropriated to the Emergency Fire Cost
18 Committee for the purposes of:

19 “(a) Equalizing emergency fire suppression costs for safeguarding
20 forestland in any forest protection district;

21 “(b) Paying necessary administrative expenses, not to exceed the limit
22 authorized by the Legislative Assembly each biennium;

23 “(c) Contributing to the payment of emergency fire suppression costs in-
24 surance premiums, subject to the payment limitation established in ORS
25 477.775 (4);

26 “(d) Paying costs related to the availability and mobilization of emer-
27 gency fire suppression resources on a statewide basis; and

28 “(e) Paying for nonroutine purchases of supplemental fire prevention, de-
29 tection or suppression resources that will enhance the ability of the forester
30 to perform fire protection responsibilities within a forest protection district.

1 “(3) Notwithstanding any other provision of law, the annual expenditure
2 from the Oregon Forest Land Protection Fund from revenues received from
3 ORS [321.015 (2),] 477.277 (1), 477.295 (1) and (2), 477.750 [(1) and (2)], 477.760
4 (4) and 477.880 may not exceed the lesser of:

5 “(a) \$13.5 million; or

6 “(b) The sum of:

7 “(A) The lesser of \$10 million or 50 percent of the eligible annual fire
8 suppression costs determined by the committee;

9 “(B) Necessary administrative expenses as determined by the committee
10 and authorized under the limit described in subsection (2)(b) of this section;

11 “(C) Contributions to the payment of emergency fire suppression costs
12 insurance premiums, subject to the payment limitation established in ORS
13 477.775 (4);

14 “(D) The lesser of \$3 million or three-fifths of the actual cost of activities
15 described in ORS 477.777 (1)(b) and (c); and

16 “(E) Any amounts expended for nonroutine purchases described in sub-
17 section (2)(e) of this section.

18 **“SECTION 15.** ORS 477.760 is amended to read:

19 “477.760. (1) The reserve base of the Oregon Forest Land Protection Fund
20 is \$22.5 million. On or about the last day of February of each year the
21 Emergency Fire Cost Committee shall meet and determine the unencumbered
22 balance of the fund as of the preceding February 16.

23 “(2) In order to maintain the reserve base of the fund at \$22.5 million, the
24 Emergency Fire Cost Committee may request and the State Treasurer may
25 approve transfers to the fund in accordance with ORS 293.205 to 293.225, if
26 the moneys in this fund fall below the reserve base, whether or not there are
27 sufficient moneys in the fund to pay the obligations of the fund. Repayment
28 of any such transfers shall be made from moneys paid into the fund pursuant
29 to ORS [321.015 (2),] 477.277 and 477.880 and from such other moneys as may
30 be credited to the fund therefor.

1 “(3) If the committee determines that the moneys in the fund exceed:

2 “(a) The reserve base, and that no repayment obligations are outstanding
3 from transfers made pursuant to subsection (2) of this section, then the De-
4 partment of Revenue shall reduce [*the taxes described in ORS 321.015 (2) by*
5 *50 percent for the following calendar year and*] the surcharge for each im-
6 proved lot or parcel described in ORS 477.277 and the assessments described
7 in ORS 477.880 [*shall be reduced*] by 50 percent for the following fiscal year.

8 “(b) \$30 million, and that no repayment obligations are outstanding from
9 transfers made pursuant to subsection (2) of this section, then the Depart-
10 ment of Revenue may not collect [*the taxes described in ORS 321.015 (2) for*
11 *the following calendar year and*] the surcharge for each improved lot or par-
12 cel described in ORS 477.277 and the assessments described in ORS 477.880
13 [*may not be collected*] until the calendar year or fiscal year following the
14 determination of the committee that the unencumbered balance in the fund
15 is less than or equal to \$22.5 million.

16 “(4)(a) Notwithstanding any other provision of law, if the funds referred
17 to in subsection (2) of this section are inadequate to cover repayment of
18 transfers from the State Treasurer or from other sources, the State Forester
19 shall increase the following taxes, assessments and charges in an amount
20 adequate to ensure repayment of the transfers, and any interest accrued
21 thereon, allowing for contingencies in valuation, assessment and collection:

22 “[*(A) The harvest tax referred to in ORS 321.015 (2).*]

23 “[*(B)*] **(A)** The surcharge on developed lots referred to in ORS 477.277.

24 “[*(C)*] **(B)** The minimum assessment referred to in ORS 477.295.

25 “[*(D)*] **(C)** The acreage assessments referred to in ORS 477.880 (2).

26 “(b) The increases to [*taxes,*] assessments and charges shall be appor-
27 tioned based upon the proportionate levels of revenues received from each
28 source by the Oregon Forest Land Protection Fund. Any such increases shall
29 be computed on or before January 1 of each year, and shall be based upon
30 revenues received during the previous four quarters. Any such increases

shall be made in the appropriate calendar or fiscal year following that in which the requested transfers from the State Treasurer or from other sources are made.

“SECTION 16. Section 4 of this 2025 Act, the amendments to ORS 321.005, 321.017, 321.045, 321.145, 321.152, 321.550, 321.684, 350.525, 477.281, 477.750, 477.755 and 477.760 by sections 2 and 5 to 15 of this 2025 Act and the repeal of ORS 321.011, 321.012, 321.015, 321.035 and 321.185 and sections 4, 5, 6 and 7, chapter 31, Oregon Laws 2022, by section 1 of this 2025 Act become operative on January 1, 2027.

“SECTION 17. This 2025 Act shall be submitted to the people for their approval or rejection at the next regular general election held throughout this state.”.