

HOUSE AMENDMENTS TO B-ENGROSSED HOUSE BILL 4084

By JOINT COMMITTEE ON WAYS AND MEANS

March 3

1 On page 1 of the printed B-engrossed bill, line 3, after “285C.210” insert “and section 12, chapter
2 ____, Oregon Laws 2026 (Enrolled Senate Bill 1507)”.

3 On page 6, line 44, after “(1)” insert “(a)”.

4 On page 7, after line 3, insert:

5 “(b) Notwithstanding paragraph (a) of this subsection, the exemption period may not be extended
6 under this section for qualified property used in operating a data center.”.

7 On page 8, after line 22, insert:

8 “(d) This subsection does not apply with respect to qualified property of an authorized business
9 firm used in operating a data center.”.

10 On page 11, after line 17, insert:

11 “**SECTION 11a.** Section 11b of this 2026 Act is added to and made a part of ORS 285C.050
12 to 285C.250.

13 “**SECTION 11b.** Notwithstanding any other provision of law, an eligible business firm may
14 not be authorized under ORS 285C.140 with respect to property consisting of a data center
15 project before the date that is 90 days following the date on which the 2027 regular session
16 of the Legislative Assembly adjourns sine die.

17 “**SECTION 11c.** Section 11b of this 2026 Act is repealed on January 2, 2029.”.

18 On page 14, delete lines 11 through 19 and insert:

19 “**SECTION 16.** If Senate Bill 1507 becomes law, section 12, chapter ____, Oregon Laws 2026
20 (Enrolled Senate Bill 1507), is amended to read:

21 “**Sec. 12.** [(1) A credit against taxes that are otherwise due under ORS chapter 316 or, if the tax-
22 payer is a corporation, under ORS chapter 317 or 318 is allowed to a taxpayer for each new job in
23 Oregon created by the taxpayer during the tax year.]

24 “(1) As used in this section:

25 “(a)(A) ‘Advanced manufacturing’ means activities that:

26 “(i) Depend on the use and coordination of information, automation, computation, soft-
27 ware, industrial sensors and networking;

28 “(ii) Make use of newly developed materials and processes enabled by the physical and
29 biological sciences, including but not limited to nanotechnology, chemistry and biology;

30 “(iii) Involve both new ways to manufacture existing products and the manufacture of
31 new products emerging from new advanced technologies; or

32 “(iv) As applied to biotechnology and life sciences activities, are related research, devel-
33 opment, scale-up and enabling technology activities integral to the production of biological,
34 medical or biobased products.

35 “(B) ‘Advanced manufacturing’ does not include activities that are primarily:

1 “(i) Routine assembly, packaging, labeling, sorting, warehousing, storage or distribution;
2 “(ii) Basic fabrication, machining or processing that does not incorporate advanced
3 technologies or materially transform products or production processes;
4 “(iii) Maintenance, repair or refurbishment of machinery, equipment or products; or
5 “(iv) Administrative, clerical, sales, marketing or other nonproduction activities.
6 “(b) ‘Clean technology’ means the manufacture or provision of, or research or develop-
7 ment supporting the manufacture or provision of, products or services that enable energy
8 to be produced from renewable sources, that reduce negative environmental impacts or that
9 reduce energy consumption.
10 “(c) ‘High technology’ means software, information technology and semiconductor or re-
11 lated device manufacturing.
12 “(d) ‘Qualified industry’ means businesses that operate in any of the following sectors:
13 “(A) Advanced manufacturing;
14 “(B) Bioscience and biotechnology;
15 “(C) Clean technology;
16 “(D) Food and beverage processing;
17 “(E) Forestry and wood products;
18 “(F) High technology; or
19 “(G) Outdoor gear and apparel.
20 “(2) A credit against taxes that are otherwise due under ORS chapter 316 or, if the tax-
21 payer is a corporation, under ORS chapter 317 or 318 is allowed to a taxpayer that is engaged
22 in a qualified industry as a primary business, for each new job in Oregon created by the
23 taxpayer during the tax year in a qualified industry.
24 “[(2)(a)] (3)(a) The credit allowed under this section shall be in the amount of \$1,000 for each
25 net new job created by a taxpayer in the tax year, but a taxpayer may not be certified for and may
26 not receive a credit for more than 10 new jobs created per tax year.
27 “(b) In order to be considered in the determination under this section of the eligibility and al-
28 lowable credit amount for any taxpayer, an employment position must have compensation that is
29 equal to or greater than 150 percent of the applicable minimum wage determined under ORS 653.025.
30 “(c) The number of net new jobs created by the taxpayer in a tax year shall be determined by
31 comparing the average annual covered employment of the taxpayer for the 12 months ending on
32 June 30 of the calendar year in which the taxpayer’s tax year began and for which the credit is
33 sought, with the 12 months ending on June 30 of the immediately preceding calendar year.
34 “[(3) Prior to claiming the credit allowed under this section, a taxpayer seeking to claim the credit
35 is required to receive written certification of eligibility from the Oregon Business Development De-
36 partment. In order to receive certification, a taxpayer must attest that the taxpayer has created new jobs
37 sufficient to be eligible for the amount of credit sought, has met the wage requirements of subsection
38 (2)(b) of this section and is otherwise in compliance with this section. The certification shall indicate
39 the amount of the credit to which the taxpayer is entitled for the tax year.]
40 “(4) Prior to claiming the credit allowed under this section, a taxpayer seeking to claim
41 the credit is required to receive written certification of eligibility from the Oregon Business
42 Development Department. In order to receive certification, a taxpayer must attest that the
43 taxpayer:
44 “(a) Is engaged as the taxpayer’s primary business in a qualified industry;
45 “(b) Has created new jobs sufficient to be eligible for the amount of credit sought; and

1 “(c) Has met the wage requirements of subsection (3)(b) of this section and is otherwise
2 in compliance with this section.

3 “(5) The certification shall indicate the amount of the credit to which the taxpayer is
4 entitled for the tax year.

5 “[(4)] (6) The credit allowed under this section may not exceed the tax liability of the taxpayer
6 for the tax year.

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

13 “[(6)] (8) The Oregon Business Development Department shall provide information to the De-
14 partment of Revenue about all taxpayers that are eligible for a tax credit under this section, if re-
15 quired by ORS 315.058.

16 “[(7)] (9) Information received by the Oregon Business Development Department pursuant to this
17 section may be used only for the purpose of certification and administration of the credit. The
18 Oregon Business Development Department may disclose this information to entities other than the
19 Department of Revenue only if the information is sufficiently aggregated or anonymized to protect
20 the identity and confidential information of taxpayers.

21 “[(8)] (10) The Director of the Oregon Business Development Department may order the sus-
22 pension or revocation of a certification issued under this section, as provided in ORS 315.061.

23 “[(9) *The Oregon Business Development Department shall by rule establish:*]

24 “[(a) *The form and content of and deadlines for applications for the credit allowed under this sec-*
25 *tion.*]

26 “[(b) *Methodology for determining net new jobs created, as provided in subsection (2) of this sec-*
27 *tion, in the instance of a merger, conversion, reorganization, consolidation or acquisition affecting a*
28 *taxpayer.*]

29 “(11) The Oregon Business Development Department shall by rule:

30 “(a) Establish the form and content of and deadlines for applications for the credit al-
31 lowed under this section.

32 “(b) Establish methodology for determining net new jobs created, as provided in sub-
33 section (3) of this section, in the instance of a merger, conversion, reorganization, consol-
34 idation or acquisition affecting a taxpayer.

35 “(c) Further define the term ‘qualified industry’ for purposes of this section.

36 “**SECTION 17.** This 2026 Act takes effect on the 91st day after the date on which the 2026
37 regular session of the Eighty-third Legislative Assembly adjourns sine die.”.