

HB 4084-A11
(LC 109)
2/17/26 (ASD/ps)

Requested by Senator PHAM K

**PROPOSED AMENDMENTS TO
A-ENGROSSED HOUSE BILL 4084**

1 On page 1 of the printed A-engrossed bill, line 3, delete “and 285C.210”
2 and insert “, 285C.210, 285C.403 and 285C.606”.

3 On page 6, line 1, after the second “services,” insert “data center oper-
4 ations, cryptocurrency data mining.”.

5 On page 9, after line 22, insert:

6 **“SECTION 11.** ORS 285C.403 is amended to read:

7 “285C.403. (1)(a) A business firm proposing to apply for the tax exemption
8 provided under ORS 285C.409 shall, before the commencement of construction
9 or installation of property or improvements at a location in a rural enter-
10 prise zone and before the hiring of employees, apply for certification with the
11 sponsor of the zone and with the county assessor of the county or counties
12 in which the zone is located.

13 “(b) A business firm may not be certified under this section if it is sig-
14 nificantly engaged in:

15 “(A) Operating a fulfillment center within the rural enterprise zone from
16 which deliveries are made to retail purchasers within, or in the region sur-
17 rounding, the rural enterprise zone.

18 **“(B) Operating a data center.**

19 **“(C) Cryptocurrency data mining.**

20 “(2) An application for certification shall be made on a form prescribed
21 by the Department of Revenue and shall contain the following information:

1 “(a) A description of the firm’s proposed business operations and facility
2 in the rural enterprise zone;

3 “(b) A description and estimated cost or value of the property or im-
4 provements to be constructed or installed at the facility;

5 “(c) An estimate of the number of employees at the facility that will be
6 hired by the firm;

7 “(d) A commitment to meet the applicable requirements of ORS 285C.412;

8 “(e) A commitment to satisfy all additional conditions agreed to pursuant
9 to the written agreement between the rural enterprise zone sponsor and the
10 business firm under subsection (3)(c) of this section; and

11 “(f) Any other information considered necessary by the Department of
12 Revenue.

13 “(3) The sponsor and the county assessor shall certify the business firm
14 by approving the application if the sponsor and the county assessor deter-
15 mine that all of the following requirements have been met:

16 “(a) The governing body of the county and city in which the facility is
17 located has adopted a resolution approving the property tax exemption for
18 the facility.

19 “(b) The business firm has committed to meet the applicable requirements
20 of ORS 285C.412.

21 “(c) The business firm has entered into a written agreement with the
22 sponsor of the rural enterprise zone that conforms to subsection (4) of this
23 section.

24 “(d) When the written agreement required under paragraph (c) of this
25 subsection is executed, the facility is located in:

26 “(A) A qualified rural county; or

27 “(B) A county with chronically low income or chronic unemployment,
28 based on the most recently revised annual data available.

29 “(4)(a)(A) The written agreement required under subsection (3)(c) of this
30 section shall state the number of consecutive tax years for which the facility,

1 following commencement of operations, is to be exempt from property tax
2 under ORS 285C.409.

3 “(B) The agreement may not provide for a period of exemption that is less
4 than seven consecutive tax years or more than 15 consecutive tax years.

5 “(C) If the agreement is silent on the number of tax years for which the
6 facility is to be exempt following placement in service, the exemption shall
7 be for seven consecutive tax years.

8 “(b) The agreement must require a school support fee to be paid in ac-
9 cordance with ORS 285C.405.

10 “(c) The agreement may include any additional requirements that the
11 sponsor may reasonably request, including but not limited to contributions
12 for local services or infrastructure benefiting the facility.

13 “(5) The approval of an application by both the sponsor and the county
14 assessor under subsection (3) of this section shall be *prima facie* evidence
15 that the business firm will qualify for the property tax exemption under ORS
16 285C.409.

17 “(6) The sponsor and the county assessor shall provide copies of an ap-
18 proved application to the applicant, the Department of Revenue and the
19 Oregon Business Development Department.

20 “(7) If the sponsor or the county assessor fails or refuses to certify the
21 business firm, the business firm may appeal to the Oregon Tax Court under
22 ORS 305.404 to 305.560. The business firm shall provide copies of the firm’s
23 appeal to the sponsor, the county assessor, the Oregon Business Development
24 Department and the Department of Revenue.

25 **“SECTION 12.** ORS 285C.606 is amended to read:

26 “285C.606. (1) The State of Oregon, acting through the Oregon Business
27 Development Commission, may determine that real and personal property
28 constituting a project shall receive the tax exemption provided in ORS
29 307.123 if:

30 “(a) The project is an eligible project;

1 “(b) The project directly benefits a traded sector industry, as defined in
2 ORS 285B.280; and

3 “(c) The total cost of the project equals or exceeds:

4 “(A) \$150 million; or

5 “(B) \$40 million, if the project is located in a rural area.

6 “(2) The minimum total costs required under subsection (1)(c) of this
7 section shall be adjusted each year for the property tax year beginning on
8 July 1 by multiplying \$150 million and \$40 million, respectively, by the ratio
9 of the increase, if any, in the monthly averaged Consumer Price Index for
10 All Urban Consumers, West Region, for the 12 consecutive months ending
11 December 31 of the prior calendar year over the monthly averaged index for
12 the 12 consecutive months ending December 31, 2023. The amount of any in-
13 crease determined under this subsection shall be rounded to the nearest
14 multiple of \$100,000.

15 “(3) In addition to and not in lieu of the determination described in sub-
16 section (1) of this section, the State of Oregon, acting through the Oregon
17 Business Development Commission, shall determine that real and personal
18 property constituting a project shall receive the tax exemption provided in
19 ORS 307.123 if:

20 “(a) The requirements of subsection (1) of this section are met; and

21 “(b) The project is to be constructed or installed in a strategic investment
22 zone established under ORS 285C.623.

23 “(4) Notwithstanding subsection (1) or (3) of this section, property may
24 not qualify for the tax exemption under ORS 307.123 if the property:

25 “(a) Was previously owned or leased by the business firm benefiting from
26 the tax exemption;

27 “(b) Was previously exempt under ORS 307.123 for any period of time;
28 [or]

29 **“(c) Is or will be used to operate a data center or engage in
30 cryptocurrency data mining; or**

1 “[*(c)*] **(d)** If located in a strategic investment zone, is not newly con-
2 structed or newly installed property.

3 “(5) The State of Oregon, acting through the State Treasurer, may au-
4 thorize and issue revenue bonds for an eligible project that qualifies for ex-
5 emption under ORS 307.123 if the project also is eligible for funding through
6 the issuance of revenue bonds under ORS 285B.320 to 285B.371.

7 “(6) A business firm that will be benefited by an eligible project shall:

8 “(a) Enter into a first-source hiring agreement with a publicly funded job
9 training provider that will remain in effect until the end of the tax ex-
10 emption period; and

11 “(b) Hold a job fair after placing a timely announcement of the job fair
12 through WorkSource Oregon.

13 “(7) If an eligible project is leased or subleased to any person, the lessee
14 shall be required to pay property taxes levied upon or with respect to the
15 leased premises only in accordance with ORS 307.123.

16 “(8) For purposes of determining the assessment and taxation of the eli-
17 gible project in ORS 307.123 and the calculation of the community services
18 fee in ORS 285C.609 (4)(b), the Oregon Business Development Commission,
19 when it determines that the project is an eligible project, shall:

20 “(a) Describe the real and personal property to be included in the eligible
21 project;

22 “(b) Establish the maximum value of the property subject to exemption;
23 or

24 “(c) Employ a comparable method to define the eligible project.

25 “(9) Property of an eligible project that is currently exempt under ORS
26 307.123 may remain exempt for any remaining period of exemption allowed
27 under ORS 307.123 upon the property being acquired by a business firm that
28 is different from the business firm that initially benefited from the ex-
29 emption, if the acquiring firm satisfies all applicable requirements under
30 ORS 285C.600 to 285C.635 and assumes the obligations, conditions, require-

1 ments and other terms of the agreement described in ORS 285C.609 (4).

2 **“SECTION 13. (1) The qualified property of a business firm deemed**
3 **to be an eligible business firm under ORS 285C.135 as in effect before**
4 **the effective date of this 2026 Act shall continue to receive any ex-**
5 **emption under ORS 285C.175 that the property was granted before the**
6 **effective date of this 2026 Act for the remainder of the term of the**
7 **exemption.**

8 **“(2) The facility of a business firm that was certified under ORS**
9 **285C.403 as in effect before the effective date of this 2026 Act shall**
10 **continue to receive any exemption under ORS 285C.409 that the facility**
11 **was granted before the effective date of this 2026 Act for the remainder**
12 **of the term of the exemption.**

13 **“(3) Property determined to be an eligible project under ORS**
14 **285C.606 as in effect before the effective date of this 2026 Act shall**
15 **continue to receive any exemption under ORS 307.123 that the property**
16 **was granted before the effective date of this 2026 Act for the remainder**
17 **of the term of the exemption.”.**

18 In line 23, delete “11” and insert “14”.

19 On page 11, line 19, delete “12” and insert “15”.

20 On page 12, line 18, delete “13” and insert “16”.

21 In line 32, delete “14” and insert “17”.

22 On page 13, line 22, delete “15” and insert “18”.

23 On page 14, line 12, delete “16” and insert “19”.

24 In line 14, delete “17” and insert “20”.

25 In line 15, delete “17” and insert “20”.

26 In line 16, delete “16” and insert “19”.

27 In line 19, delete “18” and insert “21”.

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