

February 19, 2026

Senate Committee on Finance and Revenue Oregon State Legislature 900 Court Street NE
Salem, OR 97301

Re: Testimony in Opposition to Senate Joint Resolution 201 (SJR 201)

Dear Chair Lieber and Members of the Committee:

As a resident and taxpayer in Central Oregon, I rely on the stability and fairness of our state's tax system to support the small business I am a part of, my fellow employees, and community. I am writing to strongly oppose SJR 201, which proposes a constitutional amendment to redirect portions of Oregon's surplus revenue "kicker" refunds away from taxpayers and toward state programs. This measure undermines a longstanding taxpayer protection that has been part of our state's framework for nearly 50 years.

The Oregon kicker, established by law in 1979 and enshrined in our state constitution in 2000, serves as a critical check on government over-collection of taxes. It ensures that when state revenues exceed forecasts by more than 2%, the entire surplus is returned directly to the taxpayers who overpaid—through a refundable tax credit on our personal income tax returns. This mechanism has returned billions of dollars to Oregonians over the decades, providing relief during economic highs and promoting fiscal discipline in Salem. For small businesses like the one I'm a part of, who often structure our companies as pass-through entities, these refunds translate to real dollars that can be reinvested in our operations, hiring, or weathering downturns. Altering this system now, after it has proven effective for generations, sets a dangerous precedent and erodes trust in our constitutional safeguards.

Proponents of SJR 201 argue that redirecting funds from large surpluses (over \$300 million) to K-12 education, community colleges, and wildfire prevention addresses important needs. While I agree that education and wildfire resilience are vital—especially here in Central Oregon, where wildfires pose a direct threat to our homes and economy—the solution is not to siphon money from taxpayer refunds. If lawmakers believe more funding is required for these priorities, they should focus on budgeting more effectively within existing revenues, eliminating waste, and prioritizing expenditures without dipping into what is essentially overpaid taxes. Oregon's recent record surpluses, like the \$5.6 billion kicker in 2023, demonstrate that the state is already collecting more than anticipated; retaining even a portion of these funds circumvents the kicker's core purpose of limiting government growth and returning money to the people.

Moreover, this proposal could disproportionately impact middle-class families and small businesses during prosperous times, reducing our ability to save, invest, or expand. Voters have historically rejected similar attempts to weaken the kicker, such as in past ballot measures, because they recognize it as a pro-taxpayer policy that keeps government accountable. Sending

SJR 201 to the ballot would not only waste resources on a divisive issue but also risk confusing voters about a system that has worked well for almost half a century.

I urge the committee to reject SJR 201 and preserve the integrity of the Oregon kicker. Let's encourage better budgeting and fiscal responsibility instead of altering our constitution to keep more of our hard-earned money. Thank you for considering my testimony. I am available for any questions and can be reached at the contact information provided above.

Sincerely,

A handwritten signature in black ink, appearing to read "Rebecca Benally".

Rebecca Benally

Redmond, Oregon