

House Bill 3193

Sponsored by Representative GREENLICK

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**.

Increases license tax on leaded aircraft fuel. Provides for annual increase in license tax on leaded aircraft fuel. Applies to sales, use or distribution of leaded aircraft fuel on or after effective date of Act.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to leaded aircraft fuel; creating new provisions; amending ORS 319.020; prescribing an ef-
3 fective date; and providing for revenue raising that requires approval by a three-fifths majority.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 319.020 is amended to read:

6 319.020. (1) Subject to subsections (2) to (4) of this section, in addition to the taxes otherwise
7 provided for by law, every dealer engaging in the dealer's own name, or in the name of others, in
8 the first sale, use or distribution of motor vehicle fuel or aircraft fuel or withdrawal of motor vehicle
9 fuel or aircraft fuel for sale, use or distribution within areas in this state within which the state
10 lacks the power to tax the sale, use or distribution of motor vehicle fuel or aircraft fuel, shall:

11 (a) Not later than the 25th day of each calendar month, render a statement to the Department
12 of Transportation of all motor vehicle fuel or aircraft fuel sold, used, distributed or so withdrawn
13 by the dealer in the State of Oregon as well as all such fuel sold, used or distributed in this state
14 by a purchaser thereof upon which sale, use or distribution the dealer has assumed liability for the
15 applicable license tax during the preceding calendar month. The dealer shall render the statement
16 to the department in the manner provided by the department by rule.

17 (b) Except as provided in ORS 319.270, pay a license tax computed on the basis of 30 cents per
18 gallon on the first sale, use or distribution of such motor vehicle fuel or aircraft fuel so sold, used,
19 distributed or withdrawn as shown by such statement in the manner and within the time provided
20 in ORS 319.010 to 319.430.

21 (2) When aircraft fuel is sold, used or distributed by a dealer:[,]

22 (a) The license tax shall be computed on the basis of nine cents per gallon of **unleaded aircraft**
23 fuel so sold, used or distributed, except that when aircraft fuel usable in aircraft operated by turbine
24 engines (turbo-prop or jet) is sold, used or distributed, the tax rate shall be one cent per gallon.

25 (b) **Notwithstanding paragraph (a) of this subsection, the license tax shall be computed**
26 **on the basis of _____ cents per gallon of leaded aircraft fuel so sold, used or distributed.**
27 **On January 1, 2017, and on January 1 of each year thereafter, the license tax imposed on**
28 **leaded aircraft fuel under this paragraph shall be increased by _____ cents.**

29 (3) In lieu of claiming refund of the tax paid on motor vehicle fuel consumed by such dealer in
30 nonhighway use as provided in ORS 319.280, 319.290 and 319.320, or of any prior erroneous payment

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 of license tax made to the state by such dealer, the dealer may show such motor vehicle fuel as a
2 credit or deduction on the monthly statement and payment of tax.

3 (4) The license tax computed on the basis of the sale, use, distribution or withdrawal of motor
4 vehicle or aircraft fuel may not be imposed wherever such tax is prohibited by the Constitution or
5 laws of the United States with respect to such tax.

6 **SECTION 2. The amendments to ORS 319.020 by section 1 of this 2015 Act apply to leaded**
7 **aircraft fuel sold, used or distributed on or after the effective date of this 2015 Act.**

8 **SECTION 3. This 2015 Act takes effect on the 91st day after the date on which the 2015**
9 **regular session of the Seventy-eighth Legislative Assembly adjourns sine die.**

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