

LONG-TERM ENTERPRISE ZONE FACILITIES CREDIT

Name of Corporation (as shown on return)	Business Identification Number (BIN)	Federal Employer Identification Number (FEIN)	Tax Year
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Computation of tentative credit amount

1. Payroll and employee benefit costs at qualifying enterprise zone facility	1	\$	
2. Credit percentage (62.5%)	2	0.625	
3. Tentative credit (line 1 × line 2)	3	\$	
4. Total Oregon excise tax	4	\$	

Computation of tax credit threshold amount (see instructions)

5. a. \$1,000,000	5a	\$1,000,000	
b. Product of i, ii, or iii (whichever is applicable):.....	5b	\$	
i. \$10,000 × number of full-time employees at the facility in county with population of 10,000 or less. ii. \$12,500 × number of full-time employees at the facility in county with population of 40,000 or less. iii. \$15,000 × number of full-time employees at the facility in county with population of more than 40,000 and facility is 10 or more miles from Interstate 5.			
6. Tax credit threshold amount: smaller of line 5a or 5b (if no amount on line 5b, enter \$1,000,000).....	6	\$	
7. Excess tax available to offset (line 4 minus line 6).....	7	\$	

Percent of tax attributable to the facility

8. If the qualifying facility is the only property or operation in Oregon, enter 100% (if not the only property or operation in Oregon, go to line 9 or 11).....	8	100%	
9. If you have other property or operations in Oregon, and income is computed under generally accepted accounting principles (GAAP), compute the percentage as follows:			
a. Net income of the facility	9a	\$	
b. Oregon net income.....	9b	\$	
10. Percentage (line 9a ÷ 9b).....	10	%	
11. If you have other property or operations in Oregon and income is not computed under GAAP, compute the percentage as follows:			
a. Compensation at facility	11a	\$	
b. Compensation in Oregon	11b	\$	
c. Intrastate payroll factor (line 11a ÷ 11b)	11c	%	
d. Book value of property at facility	11d	\$	
e. Book value of property in Oregon.....	11e	\$	
f. Intrastate property factor (line 11d ÷ 11e).....	11f	%	
12. Average intrastate factors ((line 11c + 11f) ÷ 2)	12	%	
13. Applicable percentage (line 8, 10, or 12).....	13	%	
14. Qualified tax liability available for offset (line 7 × line 13).....	14	\$	
15. Credit allowable (line 3 or 14, whichever is smaller)	15	\$	

INSTRUCTIONS FOR LONG-TERM ENTERPRISE ZONE FACILITIES CREDIT

What qualifies a business to claim this credit?

A tax credit is available for subchapter C corporations that own a facility that is exempt from property tax due to its location in a rural enterprise zone.

The facility must also be located in a county satisfying chronic economic statistics at the time of approval by the local zone sponsor.

Receipt of the credit also depends on:

- (i) Written approval by the governor;
- (ii) Local certification for exemption of the facility from property taxes; and
- (iii) Satisfaction of applicable requirements under Oregon Revised Statute (ORS) 285C.412 for the exemption.

What is the applicable law?

ORS 317.124.

How is the amount of credit determined?

The amount of the credit is equal to 62.5 percent of the taxpayer's payroll and employee benefit costs, including but not limited to workers' compensation insurance and payroll taxes, relating to the qualifying facility. The credit is available for a period of at least five but not more than 15 consecutive tax years. This period may commence only after the facility is placed in service, but no later than the tax year beginning in the third year after the facility is placed in service. The tax credit may be used to offset any corporate excise tax levied or imposed by the State of Oregon relating to the facility.

This credit is not in lieu of any deduction for depreciation, amortization, payroll costs, or any other expense to which the taxpayer is entitled. Tax credits allowable under this section or any other provision of law creating a tax credit against corporation excise or income tax, may not be used to offset the first \$1 million, or a lesser credit threshold amount that is allowed under ORS 317.124(7) of corporate excise tax paid by the corporation to this state in any taxable year. The first \$1 million paid or any lesser credit threshold amount that is allowed and paid includes taxes generally attributable to operations of the taxpayer throughout the state of Oregon.

For tax years beginning on or after January 1, 2005, a taxpayer may forgo using a tax credit otherwise allowed under ORS 317.124 in order to use other tax credits in a tax year.

This tax credit may not be transferred to another taxpayer.

What happens if the credit exceeds the tax?

A taxpayer claiming a credit against tax must claim the full amount of any credit that is allowed for the tax year, to the extent of the tax liability.

The credit is limited to the tax liability for the tax year. Unused tax credit not used by the taxpayer in a particular tax year may be carried forward and used by the taxpayer for a period of up to five years.

Credits cannot be used to offset the minimum excise tax.

What evidence must be kept to verify the claimed credit?

Attach this form to your return. Keep a copy with your tax records. Upon audit or examination, a copy may be requested by the department to verify the credit claimed.

Other evidence may be requested including, but not limited to, annual gross payroll expenses at the facility, and local enterprise zone certification and qualification for the exemption on taxable property.

Taxpayer assistance

For assistance, contact the Oregon Economic and Community Development Department:

Internet..... <http://econ.oregon.gov>
Telephone 503-986-0123
E-mail bi.info@state.or.us

This e-mail address is not secure and confidentiality cannot be ensured. General tax and policy questions only.

For forms, contact the Oregon Department of Revenue:

Internet..... www.oregon.gov/DOR
Salem 503-378-4988
Toll-free from Oregon prefix 1-800-356-4222
E-mail corp.help.dor@state.or.us

This e-mail address is not secure and confidentiality cannot be ensured. General tax and policy questions only.

Or write to: Forms
Oregon Department of Revenue
PO Box 14999
Salem OR 97309-0990

Asistencia en español:

Salem 503-945-8618
Gratis de prefijo de Oregon..... 1-800-356-4222

TTY (hearing or speech impaired; machine only):

Salem 503-945-8617
Toll-free from Oregon prefix 1-800-886-7204

Americans with Disabilities Act (ADA): Call one of the help numbers for information in alternative formats.