



ADMINISTRATIVE RULE REVIEW

Repealed Rule	Rule No. 150-311-0130	Last Revised Date October 18, 2016
	Page Page 1 of 2	
Permanent Rule	NOTICE OF INTENDED ACTION	
	Bulletin Dated November 2016	Hearing Scheduled November 22, 2016

PURPOSE: This rule is obsolete. It relates to ORS 308.020, which applied to large value appeals from tax years prior to 1997-1998. There are no longer any accounts being collected from appeals under 308.020.

1 **150-311-0130 [Repealed 12/31/2016]**

2 **Method for Applying Estimated Payment**

3 ~~Estimated tax payments by an owner of property who is appealing under the 1/4 of 1 percent provisions~~  
4 ~~of ORS 308.020(1) or the 1//10 of 1 percent provisions of 308.020(2) and being collected under~~  
5 ~~311.160(3) shall be handled as follows:~~

6 ~~(1) The estimated payment is deposited in a special account; interest earned on the amount in the special~~  
7 ~~account (set up by the treasurer under ORS 311.160(3)) is credited to the special account.~~

8 ~~(2) Upon settlement of the appeal, the adjudicated value is added to the roll and tax calculated.~~

9 ~~(3) Interest is charged on this additional tax from the date the tax originally would have been due through~~  
10 ~~date of estimated payment.~~

11 ~~(4) The estimated payment including accrued interest is applied first to the first trimester and its accrued~~  
12 ~~interest from the due date to the date of the estimated payment.~~

13 ~~(5) Balance of the estimated payment account is applied to the second trimester amount due and accrued~~  
14 ~~interest, then to the third installment.~~

15 ~~(6) Should the estimated payment account including interest accrued on that amount not be enough to~~  
16 ~~clear the new tax due, interest accrues on any trimester balance due according to statute.~~

17 ~~(7) Should the estimated payment account including interest accrued be more than the amount of the~~  
18 ~~additional tax, the excess plus the applicable accrued interest shall be refunded to the payor with no~~  
19 ~~additional accrued interest that would otherwise be due under ORS 311.812.~~

20 ~~(8) An estimated payment does stop further interest accrual on that portion of the additional tax covered~~  
21 ~~by the payment.~~

22 ~~Example: Major utility company says the value of its property in county X for tax year 1988-89 is \$1~~  
23 ~~million and the Department of Revenue says it is \$5 million. The \$4 million value difference triggers the~~  
24 ~~one-quarter of one percent statute. Tax on the \$4 million is \$100,000.~~

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- 1 ~~NOTE: Taxpayer pays the tax due on the undisputed value timely.~~
- 2 ~~Taxpayer decides to make an estimated payment of \$50,000 on November 10, 1989. The settlement is~~
- 3 ~~finalized in May, 1990; the total value is determined to be \$4,000,000. Since the tax of \$25,000 on the~~
- 4 ~~undisputed value of \$1 million was paid timely, tax is computed on the value difference of \$3 million and~~
- 5 ~~is determined to be \$75,000.~~
- 6 ~~The first installment of the additional tax, \$25,000, would have been due November 15, 1988; the second~~
- 7 ~~installment, \$25,000, February 15, 1989, and the third installment of \$25,000, May 15, 1989.~~
- 8 ~~The estimated payment of \$50,000 plus interest earned then would be applied to the first installment of~~
- 9 ~~\$25,000 plus accrued interest from November 15, 1988, to November 10, 1989, THE DATE THE~~
- 10 ~~ESTIMATED PAYMENT WAS MADE. The balance of the estimated payment would be applied to the~~
- 11 ~~second installment plus accrued interest. Any tax remaining on the second trimester tax due as well as the~~
- 12 ~~third trimester balance would accrue interest from the trimester due date to the date of payment.~~
- 13 ~~Stat. Auth.: ORS 305.100~~
- 14 ~~Stats. Implemented: ORS 311.160~~
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