

**A-Engrossed**  
**House Bill 2790**

Ordered by the House May 9  
Including House Amendments dated May 9

Sponsored by Representative BUTLER; Representative HUNT

**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.

*[Directs Oregon 529 College Savings Board to award grant to parent of each child born in Oregon. Requires parent to use grant to open Oregon 529 College Savings account.]*

*[Appropriates moneys from General Fund to board for grants.]*

**Creates Oregon 529 College Savings Incentive Program. Directs Oregon Student Assistance Commission to transfer \$200 to Oregon 529 College Savings Network account of eligible child if commission determines qualified parent or guardian has established account in name of child within 12 months of child's birth or adoption.**

**Appropriates moneys from General Fund, for biennium beginning July 1, 2007, to commission for purpose of Oregon 529 College Savings Incentive Program.**

**Declares emergency, effective July 1, 2007.**

**A BILL FOR AN ACT**

1  
2 Relating to Oregon 529 College Savings Network; creating new provisions; amending ORS 348.853;  
3 appropriating money; and declaring an emergency.

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

5 **SECTION 1. (1) As used in this section:**

6 (a) **"Eligible child"** means a child born to or adopted by an Oregon resident.

7 (b) **"Oregon resident"** means a resident of the State of Oregon as defined by rule of the  
8 Oregon Student Assistance Commission.

9 (c) **"Qualified parent or guardian"** means a person who is an Oregon resident and the  
10 parent or guardian of an eligible child.

11 (2) **There is created an Oregon 529 College Savings Incentive Program to be administered**  
12 **by the commission as follows:**

13 (a) **Upon application of a qualified parent or guardian, the commission shall transfer the**  
14 **amount of \$200 to the Oregon 529 College Savings Network account of an eligible child if the**  
15 **commission determines that a qualified parent or guardian has established an Oregon 529**  
16 **College Savings Network account under ORS 348.857 in the name of the eligible child within**  
17 **12 months of the child's birth or adoption. If the commission denies an application, the**  
18 **commission shall notify the applicant of the denial and specify the reason for the denial.**

19 (b) **The commission, in consultation with the Oregon 529 College Savings Board, may**  
20 **adopt rules to administer this subsection.**

21 **SECTION 2. Section 1 of this 2007 Act first applies to eligible children born or adopted**  
22 **on or after January 1, 2008.**

23 **SECTION 3. ORS 348.853 is amended to read:**

**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       348.853. The Oregon 529 College Savings Board shall have the following powers, duties, and  
2 functions:

3       (1) To establish, develop, implement and maintain the Oregon 529 College Savings Network in  
4 a manner consistent with ORS 348.841 to 348.873 and section 529 of the Internal Revenue Code and  
5 to obtain the benefits of section 529 of the Internal Revenue Code for the network and its partic-  
6 ipants.

7       (2) To adopt rules for the general administration of the network, to administer ORS 348.841 to  
8 348.873 and to ensure the network's compliance with section 529 of the Internal Revenue Code.

9       (3) To maintain, invest and reinvest the funds contributed into the network consistent with the  
10 investment restrictions established by the board. The investment restrictions shall be consistent  
11 with the objectives of the network, and the board shall exercise the judgment and care then pre-  
12 vailing that persons of prudence, discretion and intelligence exercise in the management of their  
13 own affairs with due regard to the probable income and level of risk from certain types of invest-  
14 ments of money, in accordance with the policies established by the board.

15       (4) To make and enter into any and all contracts, agreements or arrangements, and to retain,  
16 employ and contract for the services of private and public financial institutions, depositories, con-  
17 sultants, investment advisors or managers and third-party plan administrators and for research,  
18 technical and other services necessary or desirable for carrying out the purposes of ORS 348.841 to  
19 348.873.

20       (5) To accept donations or receive funds for the purpose of providing scholarships, grants and  
21 other incentives to account owners, potential account owners and their designated beneficiaries or  
22 furthering any of the purposes of ORS 348.841 to 348.873.

23       (6) To encourage increased participation in the network by awarding scholarships or grants,  
24 providing or making available other incentives to account owners or potential account owners and  
25 their designated beneficiaries, or entering into promotional arrangements with third parties as the  
26 board deems desirable.

27       **(7) To publicize the Oregon 529 College Savings Incentive Program created in section 1**  
28 **of this 2007 Act.**

29       **SECTION 4. There is appropriated to the Oregon Student Assistance Commission, for the**  
30 **biennium beginning July 1, 2007, out of the General Fund, the amount of \$\_\_\_\_\_ for the**  
31 **purpose of carrying out the provisions of the Oregon 529 College Savings Incentive Program.**

32       **SECTION 5. This 2007 Act being necessary for the immediate preservation of the public**  
33 **peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect**  
34 **July 1, 2007.**