

## HOUSE AMENDMENTS TO HOUSE BILL 3126

By COMMITTEE ON ELECTIONS, ETHICS AND RULES

June 4

1 On page 1 of the printed bill, delete lines 3 and 4 and insert “297.435; and declaring an emer-  
2 gency.”.

3 Delete lines 6 through 30 and delete pages 2 through 11 and insert:

4 “**SECTION 1.** ORS 297.435 is amended to read:

5 “297.435. (1) Subject to ORS 297.445, [*the provisions of*] ORS 297.425 [*shall*] **does** not apply to  
6 any municipal corporation, except a county or a school district, if, with respect to any one calendar  
7 year or fiscal year, the municipal corporation meets all the conditions in either subsection (2) or (3)  
8 of this section.

9 “(2)(a) Total [*receipts from all sources and*] expenditures for all purposes, including [*money ob-*  
10 *tained from borrowing and money*] **moneys** expended for debt retirement, did not exceed \$150,000 for  
11 the year;

12 “(b) The municipal corporation has submitted financial statements for the year to the Secretary  
13 of State within 90 days following the end of the year; and

14 “(c) A certificate has been submitted with the financial statements stating that the principal  
15 responsible official of the municipal corporation was covered during the entire year by a fidelity or  
16 faithful performance bond in an amount at least equal to the total amount of [*money*] **moneys** re-  
17 ceived by the municipal corporation during the year.

18 “(3)(a) Total [*receipts from all sources and*] expenditures for all purposes, including [*money ob-*  
19 *tained from borrowing and money*] **moneys** expended for debt retirement, exceeded \$150,000 but did  
20 not exceed \$500,000 for the year;

21 “(b) The municipal corporation has submitted financial statements for the year to the Secretary  
22 of State within 180 days following the end of the year, and the financial statements have been re-  
23 viewed by an accountant or the Secretary of State in accordance with standards prescribed by the  
24 Secretary of State; and

25 “(c) A certificate has been submitted with the financial statements stating that the official re-  
26 sponsible for receiving and disbursing moneys on behalf of the municipal corporation was covered  
27 during the entire year by a fidelity or faithful performance bond in an amount at least equal to 10  
28 percent of the total receipts for the year, but not less than \$10,000.

29 “(4) The financial statements required by this section shall be in a form prescribed by the Sec-  
30 retary of State and shall be considered audit reports for the purpose of the filing fee required by  
31 ORS 297.485.

32 “(5) The provisions of ORS 297.466 apply to financial statements for cities reviewed under sub-  
33 section (3) of this section.

34 “**SECTION 2.** The amendments to ORS 297.435 by section 1 of this 2007 Act apply to audits  
35 or reviews of municipal corporations conducted for calendar or fiscal years that begin on or

1 after the effective date of this 2007 Act.

2 SECTION 3. This 2007 Act being necessary for the immediate preservation of the public  
3 peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect  
4 on its passage.”

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