Enrolled

Senate Bill 194

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with presession filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor Theodore R. Kulongoski for Employment Department)

CHAPTER ....

AN ACT

Relating to reconsideration of determination made by Employment Department; amending ORS 657.676.

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

SECTION 1. ORS 657.676 is amended to read:

657.676. (1) Upon motion of the Director of the Employment Department or upon application of an interested employer, the director may reconsider a determination of employer subjectivity, tax rate or tax assessment**,** irrespective of whether [*it*] **the determination** has become final. [*Such reconsideration shall be restricted to determinations resulting from clerical errors or errors of computation and may include a new decision upon any grounds or issues not previously ruled upon or new facts not previously known to the director.*] **The director may reconsider a determination when there is evidence of:**

(a) Computation errors;

(b) Clerical errors;

(c) Misinformation provided to a party by the Employment Department;

(d) Facts not previously known to the department; or

(e) Errors caused by misapplication of law by the department.

(2) [*Such*] **The** reconsideration shall be accomplished by the director or any employee the director may designate for the purpose, in accordance with rules adopted by the director. **The director or designated employee may make** a new determination**,** [*may be made to correct any error with respect to the previous determination. Such new determination shall be*] **which is** subject to hearing, review and appeal in accordance with ORS 657.485 and 657.679 to 657.684.

―――――――――

Passed by Senate February 26, 2007

....
Secretary of Senate

....
President of Senate

Passed by House April 2, 2007

....
Speaker of House

Received by Governor:

........................M.,.., 2007

Approved:

........................M.,.., 2007

....
Governor

Filed in Office of Secretary of State:

........................M.,.., 2007

....
Secretary of State