

Senate Bill 851

Sponsored by Senator MORRISETTE; Senators GIROD, KRUSE, WALKER (at the request of Lane County)

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 **as introduced**.

Exempts county that fails to enforce public health laws due to lack of sufficient state funding from requirement that county reimburse Department of Human Services for enforcing laws when county fails to do so.

A BILL FOR AN ACT

1
2 Relating to public health; amending ORS 431.170.

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

4 **SECTION 1.** ORS 431.170 is amended to read:

5 431.170. (1) The Director of Human Services shall take direct charge of the functions that are
6 necessary to preserve the public health in [*any*] a county or district [*whenever any*] **when the**
7 county or district official fails or refuses to administer or enforce the public health laws or rules
8 that the director or board is charged to enforce.

9 (2) [*The director may call to the aid of the director such assistance as is necessary for the*
10 *enforcement of such statutes and rules, the expense of which shall be borne by the county or district*
11 *making the use of this procedure necessary, to be paid*] **If a county or district official fails or re-**
12 **fuses to administer or enforce the public health laws or rules and the director takes direct**
13 **charge of enforcing the laws or rules, the county or district shall reimburse the Department**
14 **of Human Services for the department's expenses in enforcing the laws or rules** out of the
15 [*respective*] county or district treasury upon vouchers properly certified by the director[.], **except**
16 **that reimbursement is not required if:**

17 (a) **The county or district official is unable to administer or enforce the laws or rules**
18 **because of a lack of sufficient funding from the state; or**

19 (b) **The county or district has relinquished public health authority to the state due to a**
20 **lack of sufficient funding from the state.**

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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.