

**Enrolled**  
**Senate Bill 1047**

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Interim Committee on Health Care)

CHAPTER .....

AN ACT

Relating to exemption from premium assessment of premiums earned on health plan policies delivered or issued for delivery outside Oregon; creating new provisions; amending ORS 743.961; and declaring an emergency.

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

**SECTION 1.** ORS 743.961 is amended to read:

743.961. (1) No later than 45 days following the end of a calendar quarter, an insurer shall pay an assessment at the rate of one percent of the gross amount of premiums earned by the insurer during that calendar quarter that were derived from health plan policies[:]

[(a) *Insuring Oregon residents; or*

[(b)] delivered or issued for delivery in Oregon.

(2) The assessment shall be paid to the Department of Consumer and Business Services and shall be accompanied by a verified form prescribed by the department together with any information required by the department, that reports:

(a) All health plans issued or renewed by the insurer during the calendar quarter for which the assessment is paid; and

(b) The gross amount of premiums by line of insurance, derived by the insurer from all health plans issued or renewed by the insurer during the calendar quarter for which the assessment is paid.

(3) The assessment imposed under this section is in addition to and not in lieu of any tax, surcharge or other assessment imposed on an insurer.

(4) Any rate filed for the department's approval may include amounts paid by the insurer under this section as a valid element of administrative expense or retention.

**SECTION 2.** The amendments to ORS 743.961 by section 1 of this 2010 Act apply to premiums earned by an insurer on or after October 1, 2009.

**SECTION 3.** This 2010 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2010 Act takes effect on its passage.

**Passed by Senate February 5, 2010**

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Secretary of Senate

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President of Senate

**Passed by House February 23, 2010**

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Speaker of House

**Received by Governor:**

.....M,....., 2010

**Approved:**

.....M,....., 2010

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Governor

**Filed in Office of Secretary of State:**

.....M,....., 2010

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Secretary of State