

# House Bill 2741

Sponsored by Representative BOONE (Pre-session filed.)

## 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**.

Designates Emergency Communications Account as trust account exclusively for emergency communication purposes. Declares legislative intent to create contractual obligation of state to use moneys only for emergency communication purposes and to not transfer moneys out of account for other uses.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to the Emergency Communications Account; creating new provisions; amending ORS  
3 403.235; and declaring an emergency.

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

5 **SECTION 1.** ORS 403.235 is amended to read:

6 403.235. (1) The Emergency Communications Account is established separate and distinct from  
7 the General Fund in the State Treasury. All moneys received by the Department of Revenue pursu-  
8 ant to ORS 403.200 to 403.230 and interest thereon must be paid to the State Treasurer to be held  
9 in a suspense account established under ORS 293.445. After payment of refunds, the balance of the  
10 moneys received must be paid into the State Treasury and credited to the Emergency Communi-  
11 cations Account. All moneys in the account are continuously appropriated to the Office of Emer-  
12 gency Management and must be used for the purposes described in ORS 403.240.

13 (2) The Enhanced 9-1-1 Subaccount is established as a subaccount of the Emergency Communi-  
14 cations Account. Thirty-five percent of the amount in the Emergency Communications Account on  
15 the date of distribution must be credited to the Enhanced 9-1-1 Subaccount. All moneys in the ac-  
16 count are continuously appropriated to the Office of Emergency Management and must be used for  
17 the purposes described in ORS 403.240 (3), (4) and (5).

18 (3) **The Emergency Communications Account is a trust account exclusively for the uses  
19 and purposes declared in ORS 403.240. The State of Oregon declares that it has no proprie-  
20 tary interest in the Emergency Communications Account and disclaims any right to claim  
21 contributions made to the account from sources other than the General Fund. The Legisla-  
22 tive Assembly unambiguously expresses an intention to create a contractual obligation of the  
23 state to subscribers to use the moneys in the account only for the purposes declared in ORS  
24 403.240 and commits to not transfer the moneys in the account to any other fund or account  
25 to be used for other purposes. This subsection does not impair the force or effect of any law  
26 of this state specifically authorizing the investment of moneys from the account.**

27 **SECTION 2.** The amendments to ORS 403.235 by section 1 of this 2011 Act apply to mon-  
28 eys deposited in the Emergency Communications Account on or after the effective date of  
29 this 2011 Act.

30 **SECTION 3.** This 2011 Act being necessary for the immediate preservation of the public

**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 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**  
2 **on its passage.**

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