

# A-Engrossed House Bill 2820

Ordered by the House May 19  
Including House Amendments dated May 19

Sponsored by Representative HUNT; Representative G SMITH (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.

*[Repeals Ballot Measure 67 (2010).]*

*[Decreases corporate minimum tax to \$10. Discontinues corporate minimum tax for C corporations based on amount of Oregon sales. Decreases rate of corporate excise tax imposed on C corporations. Repeals \$150 entity tax on partnerships. Applies to tax years beginning on or after January 1, 2012.]*

*[Decreases filing fee for specified documents and reports delivered to Secretary of State. Decreases maximum filing fee for financing statements and other records related to Uniform Commercial Code. Decreases application fee for appointment as notary public. Applies to documents and records filed, applications made and fees collected on or after effective date of Act.]*

*[Takes effect on 91st day following adjournment sine die.]*

**Authorizes State Board of Education to establish, by rule, fees related to administration of career schools. Increases current annual license fees for such schools. Authorizes collection of annual license fees until board first adopts rules. Eliminates annual license fees on July 1, 2013.**

**Declares emergency, effective July 1, 2011.**

## A BILL FOR AN ACT

Relating to state finance; creating new provisions; amending ORS 345.080; and declaring an emergency.

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

**SECTION 1.** ORS 345.080 is amended to read:

345.080. (1) Before issuing any licenses under ORS 345.010 to 345.450, the Superintendent of Public Instruction shall collect the following nonrefundable, annual license fees:

[ \_\_\_\_\_ ]

### In-State Schools

<u>Tuition Income Range</u>	<u>Fee</u>
\$ 0 - 15,000	\$ 450
15,001 - 50,000	600
50,001 - 125,000	750
125,001 - 250,000	1,050
250,001 - 500,000	1,350
500,001 - 750,000	1,650
750,001 - 1,000,000	1,950
Over 1,000,000	2,250

### Out-of-State Schools

<u>Tuition Income Range</u>	<u>Fee</u>
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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.

1	\$	0 - 50,000	\$ 1,350
2		50,001 - 250,000	1,650
3		250,001 - 500,000	1,950
4		500,001 - 750,000	2,250
5		750,001 - 1,000,000	2,550
6		Over 1,000,000	2,850

7 [ \_\_\_\_\_ ]

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 9 [(2) The State Board of Education may adopt, by rule, fees for teacher registration and fees for  
 10 providing copies of student transcripts maintained at the Department of Education.]

11 [(3) The board may adopt, by rule, fees for conducting a state or nationwide criminal background  
 12 check under ORS 181.534 and may collect fees for each criminal records check. Fees collected as pro-  
 13 vided by this subsection are in addition to any other fees collected by the department.]

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 16 **In-State Schools**

17	<u>Tuition Income Range</u>	<u>Fee</u>
18	\$ 0 - 15,000	\$ 600
19	15,001 - 50,000	800
20	50,001 - 125,000	1,000
21	125,001 - 250,000	1,425
22	250,001 - 500,000	1,850
23	500,001 - 750,000	2,275
24	750,001 - 1,000,000	2,700
25	Over 1,000,000	3,125

26 **Out-of-State Schools**

27	<u>Tuition Income Range</u>	<u>Fee</u>
28	\$ 0 - 50,000	\$ 1,850
29	50,001 - 250,000	2,275
30	250,001 - 500,000	2,700
31	500,001 - 750,000	3,125
32	750,001 - 1,000,000	3,550
33	Over 1,000,000	3,975

34 \_\_\_\_\_

- 35  
 36 **(2) The State Board of Education may adopt, by rule, fees for:**  
 37 **(a) Teacher registrations;**  
 38 **(b) Copies of student transcripts maintained at the Department of Education;**  
 39 **(c) Submissions of applications to renew a license after the due date established by rule**  
 40 **of the board;**  
 41 **(d) Submissions of payments to the Tuition Protection Fund established under ORS**  
 42 **345.110 after the time limits established by rule of the board; and**  
 43 **(e) Investigative costs incurred by the department when the department determines that**  
 44 **the career school has violated ORS 345.010 to 345.450 or any applicable rule.**  
 45 **(3) In addition to any fees collected by the superintendent, the superintendent may**

1 **charge the fee established by rule under ORS 181.534 for a nationwide criminal records check.**

2 (4) All fees collected under this section shall be paid to the credit of the department. Such  
3 moneys are continuously appropriated to the department and shall be used for the administration  
4 of the licensing program under ORS 345.010 to 345.450.

5 **SECTION 2.** ORS 345.080, as amended by section 1 of this 2011 Act, is amended to read:

6 345.080. (1) Before issuing any licenses under ORS 345.010 to 345.450, the Superintendent of  
7 Public Instruction shall collect [*the following nonrefundable, annual license fees:*] **a nonrefundable**  
8 **annual license fee established by the State Board of Education by rule.**

9 [ \_\_\_\_\_ ]

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11 In-State Schools

<u>Tuition Income Range</u>	<u>Fee</u>
\$ 0 - 15,000	\$ 600
15,001 - 50,000	800
50,001 - 125,000	1,000
125,001 - 250,000	1,425
250,001 - 500,000	1,850
500,001 - 750,000	2,275
750,001 - 1,000,000	2,700
Over 1,000,000	3,125

21 Out-of-State Schools

<u>Tuition Income Range</u>	<u>Fee</u>
\$ 0 - 50,000	\$ 1,850
50,001 - 250,000	2,275
250,001 - 500,000	2,700
500,001 - 750,000	3,125
750,001 - 1,000,000	3,550
Over 1,000,000	3,975

29 [ \_\_\_\_\_ ]

30  
31 (2) The [*State Board of Education*] **board** may adopt, by rule, fees for:

- 32 (a) Teacher registrations;
- 33 (b) Copies of student transcripts maintained at the Department of Education;
- 34 (c) Submissions of applications to renew a license after the due date established by rule of the  
35 board;
- 36 (d) Submissions of payments to the Tuition Protection Fund established under ORS 345.110 after  
37 the time limits established by rule of the board; and
- 38 (e) Investigative costs incurred by the department when the department determines that the  
39 career school has violated ORS 345.010 to 345.450 or any applicable rule.

40 (3) In addition to any fees collected by the superintendent, the superintendent may charge the  
41 fee established by rule under ORS 181.534 for a nationwide criminal records check.

42 (4) All fees collected under this section shall be paid to the credit of the department. Such  
43 moneys are continuously appropriated to the department and shall be used for the administration  
44 of the licensing program under ORS 345.010 to 345.450.

45 **SECTION 3. (1) The amendments to ORS 345.080 by section 2 of this 2011 Act become**

1 **operative on July 1, 2013.**

2 **(2) Until the State Board of Education first adopts rules pursuant to ORS 345.080 as**  
3 **amended by section 2 of this 2011 Act, the Superintendent of Public Instruction may collect**  
4 **annual license fees established by ORS 345.080 as amended by section 1 of this 2011 Act.**

5 **SECTION 4. This 2011 Act being necessary for the immediate preservation of the public**  
6 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**  
7 **July 1, 2011.**

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