

A-Engrossed
House Bill 5040

Ordered by the House June 21
Including House Amendments dated June 21

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Budget and Management Division, Oregon Department of Administrative Services)

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.

Appropriates moneys from General Fund to Department of Revenue for biennial expenses.

Limits certain biennial expenditures from fees, moneys or other revenues, including certain Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by department.

Continuously appropriates, for biennium beginning July 1, 2011, certain moneys to department for administration and enforcement expenses related to cigarette and tobacco products.

Authorizes specified nonlimited expenditures.

Appropriates, for biennium beginning July 1, 2011, moneys from General Fund to Department of Revenue and Emergency Board, to be allocated to department, for purpose of making payments under elderly rental assistance program.

Declares emergency, effective July 1, 2011.

A BILL FOR AN ACT

1
2 Relating to the financial administration of the Department of Revenue; appropriating money; limiting
3 expenditures; and declaring an emergency.

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

5 **SECTION 1. There is appropriated to the Department of Revenue, for the biennium be-**
6 **ginning July 1, 2011, out of the General Fund, the amount of \$143,632,440. The department**
7 **may expend up to 54 percent of the amount appropriated under this section during the period**
8 **beginning July 1, 2011, and ending June 30, 2012.**

9 **SECTION 2. Notwithstanding any other law limiting expenditures, the amount of**
10 **\$34,286,317 is established for the biennium beginning July 1, 2011, as the maximum limit for**
11 **payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts,**
12 **except those deposited in the Multistate Tax Commission Revolving Account and the Senior**
13 **Property Tax Deferral Revolving Account, but excluding lottery funds and federal funds,**
14 **collected or received by the Department of Revenue.**

15 **SECTION 3. (1) Notwithstanding ORS 323.455 or any other provision of law, for the**
16 **biennium beginning July 1, 2011, amounts necessary to pay expenses incurred by the De-**
17 **partment of Revenue for the administration and enforcement of ORS 323.005 to 323.482 are**
18 **continuously appropriated to the Department of Revenue from the revenues collected under**
19 **ORS 323.005 to 323.482.**

20 **(2) Notwithstanding ORS 323.625 or any other provision of law, for the biennium begin-**
21 **ning July 1, 2011, amounts necessary to pay expenses incurred by the Department of Revenue**
22 **for the administration and enforcement of ORS 323.500 to 323.645 are continuously appropri-**

Note: For budget, see 2011-2013 Biennial Budget

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 ated to the Department of Revenue from the revenues collected under ORS 323.500 to 323.645.

2 **SECTION 4.** For the biennium beginning July 1, 2011, expenditures by the Department
3 of Revenue for expenses of the Multistate Tax Commission and for charges and fees related
4 to collection activities are not limited.

5 **SECTION 5.** In addition to and not in lieu of any other appropriation, there is appropri-
6 ated to the Department of Revenue, for the biennium beginning July 1, 2011, out of the
7 General Fund, the amount of \$3,000,000, which may be expended for the purpose of making
8 payments authorized by ORS 307.244 and 310.630 to 310.706 for the elderly rental assistance
9 program.

10 **SECTION 6.** (1) In addition to and not in lieu of any other appropriation, there is appro-
11 priated to the Emergency Board, for the biennium beginning July 1, 2011, out of the General
12 Fund, the amount of \$2,900,000, to be allocated to the Department of Revenue for the purpose
13 of making payments authorized by ORS 307.244 and 310.630 to 310.706 for the elderly rental
14 assistance program.

15 (2) If any of the moneys appropriated by subsection (1) of this section are not allocated
16 by the Emergency Board prior to December 1, 2012, the moneys remaining on that date be-
17 come available for any purpose for which the Emergency Board lawfully may allocate funds.

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

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