

Senate Bill 465

Sponsored by Senator GEORGE (Presession 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**.

Transfers portion of ending balance from dedicated or continuously appropriated other funds accounts to General Fund at end of each biennium. Allows state agency to retain in account or fund amount equal to amount agency is authorized by law to spend from account for first quarter of first fiscal year of biennium.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to state finance; prescribing an effective date; and providing for revenue raising that re-
3 quires approval by a three-fifths majority.

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

5 **SECTION 1.** (1) **Subject to subsections (2) and (3) of this section, on July 1 of each odd-**
6 **numbered year, or the next business day following adjournment sine die of the regular ses-**
7 **sion of the regular session of the Legislative Assembly held in an odd-numbered year,**
8 **whichever is later, each state agency administering an other funds account shall transfer**
9 **from the ending balance of the account on June 30 of the odd-numbered year, to the General**
10 **Fund an amount equal to any difference between:**

11 (a) **The ending balance of the other funds account on June 30 of the odd-numbered year;**
12 **and**

13 (b) **One-eighth of the amount the agency is authorized by the Legislative Assembly to**
14 **spend from the other funds account for the biennium beginning on July 1 of the odd-**
15 **numbered year.**

16 (2) **Subsection (1) of this section applies only if the ending balance of the other funds**
17 **account on June 30 of the odd-numbered year is greater than one-eighth of the amount the**
18 **agency is authorized by the Legislative Assembly to spend from the other funds account for**
19 **the biennium beginning on July 1 of the odd-numbered year.**

20 (3) **Subsections (1) and (2) of this section do not apply to:**

21 (a) **Funds or accounts that receive moneys appropriated from the General Fund;**

22 (b) **Funds or accounts established by the Oregon Constitution or whose expenditures are**
23 **limited or otherwise directed by provisions of the Oregon Constitution;**

24 (c) **Federal funds or lottery funds deposited in any fund or account that includes dedi-**
25 **cated or continuously appropriated moneys; or**

26 (d) **Dedicated or continuously appropriated moneys in an other funds account that are**
27 **authorized by law to be expended without limitation.**

28 (4) **As used in this section:**

29 (a) **"Other funds account" means a statutory fund or account that includes fees, moneys**
30 **or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal**

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 **funds, collected or received by a state agency that are dedicated or continuously appropriated**
2 **to the agency by statute for the uses and purposes of the agency.**

3 **(b) “State agency” has the meaning given that term in ORS 291.322.**

4 **SECTION 2. Notwithstanding section 1 (1) of this 2011 Act, a state agency as defined in**
5 **ORS 291.322 shall first transfer moneys to the General Fund under section 1 of this 2011 Act**
6 **not later than 30 business days after the effective date of this 2011 Act.**

7 **SECTION 3. This 2011 Act takes effect on the 91st day after the date on which the 2011**
8 **regular session of the Seventy-sixth Legislative Assembly adjourns sine die.**

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