

A-Engrossed
Senate Bill 53

Ordered by the House May 27
Including House Amendments dated May 27

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 Governor John A. Kitzhaber for 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.

Deletes obsolete references in law governing Oregon Department of Administrative Services annual charitable fund drive program. Directs department to appoint charitable fund drive committee to set policies for and implement annual charitable fund drive program. Allows committee, with written approval of Director of Oregon Department of Administrative Services, to contract with charitable fund drive management organization. **Requires department to adopt rules setting maximum amount, or percentage rate of contributions, that may be retained as administrative costs by charitable fund drive management organization and listing specific expenses that may qualify as administrative costs.**

A BILL FOR AN ACT

1
2 Relating to annual charitable fund drive program; creating new provisions; and amending ORS
3 292.045.

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

5 **SECTION 1.** ORS 292.045 is amended to read:

6 292.045. *[(1) As used in this section, "United Fund" means the organization conducting the single,*
7 *annual, consolidated effort to secure funds for distribution to agencies engaged in charitable and public*
8 *health, welfare and service purposes, which is commonly known as the United Fund, or the organiza-*
9 *tion which serves in place of the United Fund organization in communities where an organization*
10 *known as the United Fund is not organized.]*

11 *[(2) Any state official authorized to disburse funds in payment of salaries or wages of state officers*
12 *or employees is authorized, upon written request of the state officer or employee, to deduct each month*
13 *from the salary or wages of the officer or employee the amount of money designated by the officer or*
14 *employee for payment to the United Fund. The moneys so deducted shall be paid over promptly to the*
15 *United Fund designated by the officer or employee. Subject to any regulations prescribed by the Oregon*
16 *Department of Administrative Services, the state official authorized to disburse the funds in payment*
17 *of salaries or wages may prescribe any procedures necessary to carry out this section.]*

18 **(1) As used in this section, "annual charitable fund drive program" means the single,**
19 **annual, consolidated effort conducted by the charitable fund drive committee appointed un-**
20 **der subsection (2) of this section to secure funds from state officers or employees for dis-**
21 **tribution to organizations engaged in charitable, public health, public welfare or service or**
22 **similar purposes that directly benefit individuals in this state.**

23 **(2)(a) The Director of the Oregon Department of Administrative Services shall appoint**

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 seven members to a charitable fund drive committee. Each member must be an officer or
2 employee of the State of Oregon. The term of office of a member is two years. A member
3 may be reappointed to one additional term.

4 (b) The committee shall set policies for and implement an annual charitable fund drive
5 program in the manner described by the Oregon Department of Administrative Services by
6 rule.

7 (c) With the written approval of the director, the committee may enter into a contract
8 with a charitable fund drive management organization to administer the annual charitable
9 fund drive program. The contract shall include the maximum amount, or percentage rate of
10 contributions, that may be retained by the charitable fund drive management organization
11 as administrative costs, as specified in rules adopted pursuant to subsection (7) of this sec-
12 tion.

13 (3) A state official authorized to disburse funds in payment of salaries or wages of state
14 officers or employees is authorized, upon written request of the officer or employee, to de-
15 duct each month from the salary or wages of that officer or employee the amount of money
16 designated by the officer or employee for payment, in the manner designated by the officer
17 or employee, to the annual charitable fund drive program, to a charitable fund drive man-
18 agement organization or directly to an organization that participates in the annual charitable
19 fund drive program.

20 (4) The state official authorized to disburse funds in payment of salaries or wages shall
21 promptly pay the moneys deducted under this section to the annual charitable fund drive
22 program, to a charitable fund drive management organization or directly to an organization
23 that participates in the annual charitable fund drive program.

24 (5) Subject to rules adopted by the department, the state official authorized to disburse
25 funds in payment of salaries or wages may prescribe any procedures necessary to carry out
26 this section.

27 (6) The department shall disclose on its website and in any promotional materials for the
28 annual charitable fund drive program the maximum amount, or percentage rate of contri-
29 butions, that may be retained as administrative costs by any charitable fund drive manage-
30 ment organization that has entered into a contract with the department under subsection
31 (2)(c) of this section.

32 (7) The department shall adopt rules:

33 (a) Setting a maximum amount, or percentage rate of contributions, that may be re-
34 tained as administrative costs by a charitable fund drive management organization under a
35 contract entered into under subsection (2)(c) of this section; and

36 (b) Listing the specific expenses that may qualify as administrative costs.

37 (8) In addition to rules adopted under subsection (7) of this section, the department may
38 adopt rules necessary to implement this section.

39 **SECTION 2.** The amendments to ORS 292.045 by section 1 of this 2011 Act apply to de-
40 ductions and payments of moneys made on or after the effective date of this 2011 Act.

41