

# Senate Bill 786

Sponsored by Senator TELFER; Senators BOQUIST, FERRIOLI, KRUSE, MORSE, OLSEN, THOMSEN

## 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**.

Specifies that executive branch license fees set by statute prior to effective date of Act may not be collected on or after July 1, 2013, in case of fees set prior to January 1, 2000, or on or after July 1, 2015, in case of fees set on or after January 1, 2000.

Specifies that executive branch license fees set by statute on or after effective date of Act may not be collected on or after date that is four years after effective date of law setting amount of fee.

Allows collection of executive branch license fees if Legislative Assembly subsequently authorizes amount of fee by law.

Defines license fee as fee for permit, certificate, approval, registration or similar form of permission required by law to pursue any commercial activity, trade, occupation, profession or activity.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

Relating to public body fees; and declaring an emergency.

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

**SECTION 1. (1) Notwithstanding any other provision of law, for license fees set by statute prior to the effective date of this 2011 Act, a public body in the executive department may not collect the fee on or after:**

(a) July 1, 2013, for fees set by statute prior to January 1, 2000; or

(b) July 1, 2015, for fees set by statute on or after January 1, 2000.

**(2) Notwithstanding any other provision of law, for license fees set by statute on or after the effective date of this 2011 Act, a public body in the executive department may not collect the fee on or after the date that is four years after the date on which the law setting the amount of the fee takes effect.**

**(3) A public body in the executive department may collect a fee described in subsection (1) or (2) of this section if the amount of the fee is subsequently authorized by enabling legislation setting forth the amount of the fee.**

**(4) Subsections (1) and (2) of this section apply in addition to the provisions of ORS 291.055.**

**(5) As used in this section:**

(a) "Executive department" has the meaning given that term in ORS 174.112.

(b) "License" means the whole or part of any public body permit, certificate, approval, registration or similar form of permission required by law to pursue any commercial activity, trade, occupation, profession or activity.

(c) "License fee" means a fee set by statute for a license issued by the public body.

(d) "Public body" has the meaning given that term in ORS 174.109.

**SECTION 2. This 2011 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect on its passage.**

**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.

