

# Senate Bill 971

Sponsored by Senator GEORGE; Senator BOQUIST

## 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**.

Directs state agencies to deposit moneys that agencies receive through imposition of fees, fines or civil penalties into General Fund and not into other funds account continuously appropriated to agency.

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) Notwithstanding any other provision of law, a state agency may not de-**  
6 **posit the following moneys into an other funds account:**

7 (a) Moneys the agency receives through the collection of fees paid to the agency pursuant  
8 to law or rule; or

9 (b) Moneys the agency receives through the imposition, by the agency, of fines or civil  
10 penalties.

11 (2) A state agency shall deposit moneys described in subsection (1) of this section into  
12 the General Fund.

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

14 (a) Moneys appropriated from the General Fund to an other funds account;

15 (b) Moneys in funds or accounts established by the Oregon Constitution or whose  
16 expenditures are limited or otherwise directed by provisions of the Oregon Constitution;

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

19 (d) Dedicated or continuously appropriated moneys in an other funds account that are  
20 authorized by law to be expended without limitation;

21 (e) Moneys paid as tuition to an institution of the Oregon University System listed in  
22 ORS 352.002 or to a community college as defined in ORS 341.005;

23 (f) Revenues from taxes imposed under ORS chapter 657; or

24 (g) Moneys from the tax on motor vehicle fuel or aircraft fuel imposed under ORS 319.020  
25 or moneys from the tax on fuel used in motor vehicles imposed under ORS 319.530.

26 (4) As used in this section:

27 (a) "Other funds account" means a statutory fund or account that includes fees, moneys  
28 or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal  
29 funds, collected or received by a state agency that are dedicated or continuously appropriated  
30 to the agency by statute for the uses and purposes of the agency.

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

2       **SECTION 2.** **This 2011 Act takes effect on the 91st day after the date on which the 2011**  
3 **regular session of the Seventy-sixth Legislative Assembly adjourns sine die.**

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