

**A-Engrossed**  
**House Bill 5017**

Ordered by the House March 30  
Including House Amendments dated March 30

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of 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 Education for State School Fund.  
Limits biennial expenditures from lottery moneys allocated from Administrative Services Economic Development Fund to department for State School Fund.  
Limits biennial expenditures from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by department for State School Fund.  
**Specifies amounts department may spend for certain purposes from State School Fund.**  
Specifies, for 2015 and 2016 fiscal years, total amount that department may spend from State School Fund.  
Transfers moneys from State School Fund to Local Option Equalization Grants Account.  
**Appropriates moneys from General Fund to department for State School Fund if amount of May revenue forecast exceeds amount of February revenue forecast. Provides that amount appropriated is 40 percent of amount by which May forecast exceeds February forecast.**  
Declares emergency, effective July 1, 2015.

**A BILL FOR AN ACT**

1  
2 Relating to state financial administration; and declaring an emergency.

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

4 **SECTION 1. In addition to and not in lieu of any other appropriation, there is appropri-**  
5 **ated to the Department of Education, for the biennium beginning July 1, 2015, out of the**  
6 **General Fund, the amount of \$6,912,858,941 for the State School Fund.**

7 **SECTION 2. Notwithstanding any other law limiting expenditures, the amount of**  
8 **\$342,141,059 is established for the biennium beginning July 1, 2015, as the maximum limit for**  
9 **payment of expenses from lottery moneys allocated from the Administrative Services Eco-**  
10 **nomical Development Fund to the Department of Education for the State School Fund.**

11 **SECTION 3. Notwithstanding any other law limiting expenditures, the amount of**  
12 **\$3,260,692 is established for the biennium beginning July 1, 2015, as the maximum limit for**  
13 **payment of expenses by the Department of Education from fees, moneys or other revenues,**  
14 **including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or**  
15 **received by the Department of Education for the State School Fund.**

16 **SECTION 4. Notwithstanding ORS 327.008 and 327.013, for the biennium beginning July**  
17 **1, 2015, the Department of Education:**

18 **(1) May spend up to \$968,000 from the State School Fund for the contract described in**  
19 **ORS 329.488.**

20 **(2) May spend up to \$1,600,000 from the State School Fund for purposes related to the**

**Note: For budget, see 2015-2017 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 **Oregon Virtual School District.**

2 (3) May spend up to \$12,500,000 from the State School Fund for an English language  
3 learners program. Up to \$10,000,000 of this amount may be used to support school districts  
4 that are identified as low-performing districts relating to English language learners. Up to  
5 \$2,500,000 of this amount may be used for technical assistance, best practice support and  
6 implementation of the statewide English language learners plan.

7 (4) May spend up to \$2,395,593 from the State School Fund to provide lunches, at no  
8 charge to the student, to students who are eligible for reduced price lunches under the  
9 United States Department of Agriculture's current Income Eligibility Guidelines.

10 **SECTION 5.** (1) The Department of Education may not spend more than \$3,629,130,346,  
11 plus one-half of any amount appropriated under section 7 of this 2015 Act, from the State  
12 School Fund for the fiscal year beginning July 1, 2015.

13 (2) The Department of Education may not spend more than \$3,629,130,346, plus one-half  
14 of any amount appropriated under section 7 of this 2015 Act, from the State School Fund for  
15 the fiscal year beginning July 1, 2016.

16 **SECTION 6.** The amount of \$2,859,866 is transferred from the State School Fund to the  
17 Local Option Equalization Grants Account created in ORS 327.339.

18 **SECTION 7.** In addition to and not in lieu of any other appropriation, there is appropri-  
19 ated to the Department of Education, for the biennium beginning July 1, 2015, out of the  
20 General Fund, the amount determined under section 8 of this 2015 Act, for the State School  
21 Fund.

22 **SECTION 8.** (1) As part of the estimate of revenues prepared in May 2015, the Oregon  
23 Department of Administrative Services shall determine whether the total amount of General  
24 Fund revenues estimated to be available for the biennium beginning July 1, 2015, is more  
25 than the total amount of General Fund revenues estimated to be available for the biennium  
26 beginning July 1, 2015, in the estimate of revenues prepared by the department in February  
27 2015.

28 (2) If the condition specified in subsection (1) of this section is met, the department shall  
29 determine the amount that is equal to the difference between the total amount of General  
30 Fund revenues estimated to be available for the biennium beginning July 1, 2015, included in  
31 the estimate of revenues prepared by the department in May 2015, and the total amount of  
32 General Fund revenues that was estimated to be available for the biennium beginning July  
33 1, 2015, in the estimate of revenues prepared by the department in February 2015.

34 (3) The amount appropriated under section 7 of this 2015 Act is an amount equal to 40  
35 percent of the amount determined under subsection (2) of this section.

36 (4) Section 7 of this 2015 Act is not operative unless the estimate of revenues prepared  
37 by the Oregon Department of Administrative Services in May 2015 shows that the total  
38 amount of General Fund revenues estimated to be available for the biennium beginning July  
39 1, 2015, is more than the total amount of General Fund revenues estimated to be available  
40 for the biennium beginning July 1, 2015, in the estimate of revenues prepared by the depart-  
41 ment in February 2015.

42 **SECTION 9.** If the conditions in section 8 of this 2015 Act are met, section 7 of this 2015  
43 Act becomes operative July 1, 2015.

44 **SECTION 10.** This 2015 Act being necessary for the immediate preservation of the public  
45 peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect

1 **July 1, 2015.**

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