

Enrolled
Senate Bill 616

Sponsored by Senators GELSER, WINTERS; Senator DEVLIN

CHAPTER

AN ACT

Relating to the Community Housing Trust Account within the Developmental Disabilities Community Housing Fund; creating new provisions; amending ORS 427.340; and declaring an emergency.

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

SECTION 1. (1) The Secretary of State shall conduct an investigation of the Community Housing Trust Account established under ORS 427.340. The Department of Human Services shall cooperate with and assist the Secretary of State in the investigation.

(2) The investigation shall determine the current status of assets in the account and shall include findings regarding the following:

(a) The amount and date of deposit of any proceeds from the sale, transfer or lease of any state training center as defined in ORS 427.345, including but not limited to the Eastern Oregon Training Center;

(b) How proceeds from the sale, transfer or lease of any state training center as defined in ORS 427.345 have been applied or disbursed to or from the account; and

(c) How earnings on the account have been credited or expended by the department.

(3) The State Treasurer shall develop and make recommendations for an investment strategy for the Community Housing Trust Account established under ORS 427.340 that maximizes interest earned on funds deposited in the account and any income from the lease of surplus property by the department.

(4) On or before February 1, 2016, the Secretary of State shall report, to interim committees of the Legislative Assembly with subject matter jurisdiction of persons with intellectual and developmental disabilities, regarding the investigation undertaken and the investment strategy developed under this section.

SECTION 2. Section 1 of this 2015 Act is repealed on June 30, 2016.

SECTION 3. ORS 427.340 is amended to read:

427.340. (1) There is established a Developmental Disabilities Community Housing Fund in the State Treasury, separate and distinct from the General Fund. All moneys in the **Developmental Disabilities Community Housing** Fund are continuously appropriated to the Department of Human Services to pay expenses incurred by the Department of Human Services in carrying out the provisions of ORS 427.330 and 427.335. Interest earned on moneys in the fund shall be credited to the fund.

(2) There is established within the fund a Community Housing Trust Account. Notwithstanding the provisions of ORS 270.150, the Department of Human Services shall negotiate with the Oregon Department of Administrative Services to apply the proceeds from the sale, transfer or lease of any

surplus real property owned, operated or controlled by the Department of Human Services and used as a state training center to the account. The Department of Human Services may expend, for the purposes of ORS 427.330 to 427.345, any earnings credited to the account, including any income from the lease of surplus property and any interest earned on moneys deposited in the account, and up to five percent of any sale or transfer proceeds initially credited to the account by the Oregon Department of Administrative Services. At least 95 percent of all sale or transfer proceeds shall remain in the account in perpetuity.

(3) The fund shall consist of:

- (a) Moneys appropriated to the fund by the Legislative Assembly;
- (b) Repayment of financial assistance provided to housing providers or care providers for community housing under ORS 427.335 (3);
- (c) Proceeds from the account under subsection (2) of this section;
- (d) Moneys reallocated from other areas of the Department of Human Services' budget; and
- (e) **Any earnings or** interest credited to the fund.

(4) Moneys in the Community Housing Trust Account may, with the approval of the State Treasurer, be invested as provided under ORS 293.701 to 293.857, and the earnings from such investments must be credited to the Community Housing Trust Account.

[(4)] (5) The Department of Human Services shall provide a report of revenues to and expenditures from the fund as part of its budget submission to the Governor and Legislative Assembly under ORS chapter 291.

SECTION 4. This 2015 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect on its passage.

Passed by Senate March 18, 2015

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House May 13, 2015

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Tina Kotek, Speaker of House

Received by Governor:

.....M.,....., 2015

Approved:

.....M.,....., 2015

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2015

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Jeanne P. Atkins, Secretary of State