

**PROPOSED AMENDMENTS TO
SENATE BILL 555**

1 On page 1 of the printed bill, line 3, delete “, 279.840, 279.845 and
2 279.850” and insert “and 279.840”.

3 Delete lines 6 through 29 and delete pages 2 and 3 and insert:

4 **“SECTION 1.** ORS 279.835 is amended to read:

5 “279.835. As used in ORS 279.835 to 279.855:

6 “(1) ‘Department’ means the Oregon Department of Administrative Ser-
7 vices.

8 “(2) ‘Direct labor’ includes all work required for preparation, processing
9 and packing, but not supervision, administration, inspection and shipping.

10 “(3) ‘Individual with a disability’ means an individual who, because of the
11 nature of disabilities, is not able to participate fully in competitive employ-
12 ment, and for whom specialized employment opportunities must be provided.

13 “(4) ‘Public agency’ or ‘public contracting agency’ means any agency of
14 the State of Oregon or any political subdivision thereof authorized by law
15 to enter into public contracts and any public body created by intergovern-
16 mental agreement.

17 “(5) ‘Qualified nonprofit agency for individuals with disabilities’ means a
18 nonprofit activity center or rehabilitation facility:

19 “(a) Organized under the laws of the United States or of this state and
20 operated in the interest of individuals with disabilities, and the net income
21 of which does not inure in whole or in part to the benefit of any shareholder
22 or other individual;

1 “(b) That complies with any applicable occupational health and safety
2 standard required by the laws of the United States or of this state; [and]

3 “(c) **That pays individuals with disabilities who are employed to**
4 **work on contracts for a local, state or federal public agency at least**
5 **the minimum wage set forth in state or federal law; and**

6 “[c)] (d) That in the manufacture of products and in the provision of
7 services, whether or not the products or services are procured under ORS
8 279.835 to 279.855, during the fiscal year employs individuals with disabilities
9 for not less than 75 percent of the work hours of direct labor required for
10 the manufacture or provision of the products or services.

11 **“SECTION 2.** ORS 279.840 is amended to read:

12 “279.840. The **policy of this state and the** purpose of ORS 279.835 to
13 279.855, 279A.025 (4) and 279C.335 [*is to further the policy of this state*] **are**
14 to encourage and assist individuals with disabilities to achieve maximum
15 personal independence [*through useful and productive gainful employment*] by
16 [*assuring*] **ensuring** an expanded and constant market for [*sheltered work-*
17 *shop and activity center*] products and services **that individuals with disa-**
18 **bilities provide through useful and productive gainful employment,**
19 thereby enhancing [*their*] **the individuals’** dignity and capacity for self-
20 support and minimizing [*their*] **the individuals’** dependence on welfare and
21 need for costly institutionalization.

22 **“SECTION 3.** The **amendments to ORS 279.835 and 279.840 by**
23 **sections 1 and 2 of this 2015 Act apply to contracts that a public agency**
24 **advertises or otherwise solicits or, if the public agency does not ad-**
25 **vertise or otherwise solicit the contract, to contracts into which the**
26 **public agency enters on or after the operative date specified in section**
27 **4 of this 2015 Act.**

28 **“SECTION 4. (1) The amendments to ORS 279.835 and 279.840 by**
29 **sections 1 and 2 of this 2015 Act become operative January 1, 2016.**

30 **“(2) The Director of the Oregon Department of Administrative Ser-**

1 vices, the Director of Transportation, the Attorney General or a public
2 agency that is authorized by law or rule to conduct a procurement
3 may take any action before the operative date specified in subsection
4 (1) of this section that is necessary to enable the director, the Attor-
5 ney General or the public agency to exercise, on and after the opera-
6 tive date specified in subsection (1) of this section, all of the duties,
7 functions and powers conferred on the director, the Attorney General
8 or the public agency by the amendments to ORS 279.835 and 279.840 by
9 sections 1 and 2 of this 2015 Act.

10 “SECTION 5. This 2015 Act being necessary for the immediate
11 preservation of the public peace, health and safety, an emergency is
12 declared to exist, and this 2015 Act takes effect on its passage.”.

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