

House Bill 2370

Sponsored by Representative WILSON; Representative ESQUIVEL (Presession filed.)

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**.

Requires Legislative Fiscal Officer to prepare economic impact statements when proposed legislative measures are reported out of committee and Legislative Fiscal Officer determines that measures may have effect on jobs and job creation or destruction, wages and salaries, business expansion or contraction or other economic measures. Requires Legislative Fiscal Officer to also prepare economic impact statements when adopted administrative rules have effect on jobs and job creation or destruction, wages and salaries, business expansion or contraction or other economic measures. Sets forth procedures for uses of economic impact statements for both measures and rules.

A BILL FOR AN ACT

1
2 Relating to economic impact statements prepared for the Legislative Assembly; creating new pro-
3 visions; and amending ORS 173.035 and 183.715.

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

5 **SECTION 1. Section 2 of this 2017 Act is added to and made a part of ORS 173.025 to**
6 **173.055.**

7 **SECTION 2. (1) The Legislative Fiscal Officer, with the aid of the Oregon Department**
8 **of Administrative Services, the Legislative Revenue Officer, state agencies and affected local**
9 **governmental units, including school districts, shall prepare an economic impact statement**
10 **on each measure reported out of a committee of the Legislative Assembly that the Legisla-**
11 **tive Fiscal Officer determines is likely to have an effect on jobs and job creation or de-**
12 **struction, wages and salaries, business expansion or contraction or other commonly used**
13 **measures of the economy of this state or of regions or localities within this state.**

14 **(2) If an economic impact statement is prepared pursuant to subsection (1) of this sec-**
15 **tion, the statement must include the economic impact of the measure for at least three**
16 **biennia, beginning with the current biennium.**

17 **SECTION 3. ORS 173.035, as amended by section 3, chapter 117, Oregon Laws 2016, is amended**
18 **to read:**

19 173.035. The Legislative Fiscal Officer and Legislative Revenue Officer shall submit the state-
20 ment prepared under ORS 173.025 or 173.029 **or section 2 of this 2017 Act** to the Legislative As-
21 sembly at a time set by the rules of the house where the measure was introduced.

22 **SECTION 4. ORS 183.715 is amended to read:**

23 183.715. (1) A state agency that adopts a rule shall submit a copy of the adopted rule to the
24 Legislative Counsel within 10 days after the agency files a certified copy of the rule in the office
25 of the Secretary of State as provided in ORS 183.355 (1). The copy of an amended rule that is sub-
26 mitted to the Legislative Counsel must show all changes to the rule by striking through material to
27 be deleted and underlining all new material, or by any other method that clearly shows all new and
28 deleted material.

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 **(2) The Legislative Counsel shall provide a copy of a rule submitted under subsection (1)**
2 **of this section to the Legislative Fiscal Officer in order for the Legislative Fiscal Officer to**
3 **prepare an economic impact statement as described in section 6 of this 2017 Act.**

4 [(2)] **(3) Notwithstanding subsection (1) of this section, an agency adopting a rule incorporating**
5 **published standards or a specialty code by reference is not required to file a copy of those standards**
6 **with the Legislative Counsel if:**

7 **(a) The standards or a specialty code adopted are unusually voluminous and costly to reproduce;**
8 **and**

9 **(b) The rule filed with the Legislative Counsel identifies the location of the standards or a spe-**
10 **cialty code so incorporated and makes them available to the Legislative Counsel on the request of**
11 **the Legislative Counsel.**

12 **SECTION 5. Section 6 of this 2017 Act is added to and made a part of ORS 183.710 to**
13 **183.725.**

14 **SECTION 6. (1) The Legislative Fiscal Officer shall review each rule received from the**
15 **Legislative Counsel under ORS 183.715 to determine the economic impact of the rule.**

16 **(2) For each rule that the Legislative Fiscal Officer estimates will cause an expansion or**
17 **contraction of _____ percent in any of the measures of economic impact set forth in sub-**
18 **section (3) of this section, the Legislative Fiscal Officer shall cause an economic impact**
19 **statement to be prepared that sets forth the economic impact of the rule and a brief expla-**
20 **nation of the rationale of the Legislative Fiscal Officer for making that determination.**

21 **(3) The measures of economic impact that the Legislative Fiscal Officer shall consider in**
22 **determining whether an economic impact statement must be prepared under this section are:**

23 **(a) The degree to which jobs will be created, altered or destroyed as a result of the rule;**

24 **(b) The degree to which wages and salaries will be impacted as a result of the rule;**

25 **(c) The degree to which businesses are likely to expand or contract as a result of the**
26 **rule; or**

27 **(d) The degree to which the rule will alter any other measure of economic impact that,**
28 **under the particular circumstances, the Legislative Fiscal Officer determines is an appro-**
29 **priate measure of the economic impact of the rule.**

30 **(4) In preparing economic impact statements under this section, the Legislative Fiscal**
31 **Officer may request and receive the aid of the Oregon Department of Administrative Ser-**
32 **vices, the Legislative Revenue Officer, state agencies and affected local governmental units,**
33 **including school districts.**

34 **(5) The Legislative Fiscal Officer shall send each economic impact statement prepared**
35 **under this section to the interim committee having subject-matter jurisdiction under ORS**
36 **183.724 over the state agency that adopted the rule. The interim committee may consider the**
37 **economic impact statement prepared under this section and may adopt findings in support**
38 **of or objecting to the rule. If the interim committee elects to adopt findings under this**
39 **subsection, the Legislative Fiscal Officer shall post those findings on the Legislative Fiscal**
40 **Office website until the earlier of the date the rule is amended or repealed, or five years.**