

House Joint Resolution 23

Sponsored by Representatives KENNEMER, NEARMAN; Representatives BARRETO, RESCHKE, SMITH DB

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**.

Proposes amendment to Oregon Constitution to limit total amount of biennial appropriations by Legislative Assembly. Allows Legislative Assembly by three-fourths vote to exceed limit if Legislative Assembly declares catastrophic disaster has occurred.

Refers proposed amendment to people for their approval or rejection at next regular general election.

JOINT RESOLUTION

Be It Resolved by the Legislative Assembly of the State of Oregon:

PARAGRAPH 1. The Constitution of the State of Oregon is amended by creating new sections 16 and 16a to be added to and made a part of Article IX, such sections to read:

SECTION 16. (1) The Legislative Assembly may not appropriate for a biennium a total amount that exceeds the product of:

(a) **The total amount of the appropriations in the legislatively adopted budget for the previous biennium;**

(b) **The ratio of the cost of living for the previous calendar year to the cost of living for two years prior to the previous calendar year, based on changes in the Consumer Price Index or a similar indicator of inflation, as designated by law; and**

(c) **The ratio of the estimated population of this state for the previous calendar year to the estimated population of this state for two years prior to the previous calendar year, as determined in the manner provided by law.**

(2) **The limit on appropriations established by this section may be exceeded for a biennium if the Legislative Assembly declares that a catastrophic disaster has occurred and at least three-fourths of the members serving in each house of the Legislative Assembly affirmatively vote to exceed the limit for the biennium. For the biennium subsequent to a biennium for which the limit on appropriations was exceeded under this subsection, the amount that may be appropriated under subsection (1) of this section must be calculated based on the amount appropriated for the biennium immediately preceding the biennium for which the limit on appropriations was exceeded under this subsection.**

(3) **For purposes of this section, the following are considered to be appropriations:**

(a) **An authorization that is given by law to expend moneys in a biennium.**

(b) **A limitation that is imposed by law on the expenditure in a biennium of moneys that are continuously appropriated.**

(c) **Estimated amounts of moneys that are continuously appropriated to be spent in a biennium without limitation.**

(4) **The following types of appropriations are not subject to the limitation on appropriations specified in subsection (1) of this section:**

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 (a) Appropriations of moneys that are voluntarily donated to any unit of state govern-
2 ment.

3 (b) Appropriations of moneys from increases in revenue or new revenue sources if the
4 increases or sources result from a measure approved by the people at an election held on
5 or after November 6, 2018.

6 (c) Appropriations to fund new programs or to increase funding for existing programs if
7 the need for the new or increased funding results from a measure approved by the people
8 at an election held on or after November 6, 2018.

9 (5) As used in this section:

10 (a) "Catastrophic disaster" means a natural or human-caused event that:

11 (A) Results in extraordinary levels of death, injury, property damage or disruption of
12 daily life in this state; and

13 (B) Severely affects the population, infrastructure, environment, economy or government
14 functions of this state.

15 (b) "Legislatively adopted budget" means the budget enacted by the Legislative Assembly
16 during an odd-numbered year regular session.

17 SECTION 16a. (1) Section 16 of this Article first applies to biennia beginning on or after
18 July 1, 2019.

19 (2) This section is repealed January 1, 2021.

20
21 **PARAGRAPH 2.** The amendment proposed by this resolution shall be submitted to the
22 people for their approval or rejection at the next regular general election held throughout
23 this state.
24
