

B-Engrossed
Senate Bill 333

Ordered by the Senate May 24
Including Senate Amendments dated April 24 and May 24

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Interim Committee on Business and Transportation for Industrial Land Coalition)

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.

Requires Oregon Business Development Department to consult with [*Employment Department and*] Department of Revenue in establishing and administering Oregon Industrial Site Readiness Program.

Directs Oregon Business Development Department to obtain employment and wage information [*from Employment Department*] for eligible employer at regionally significant industrial site and to determine annual amount of estimated incremental income tax revenues generated by eligible employer per tax year. Requires Oregon Business Development Department to request that Oregon Department of Administrative Services certify amounts determined to be estimated incremental income tax revenues.

Permits Employment Department to disclose to Oregon Business Development Department information required by Oregon Business Development Department in performing department's duties with respect to Oregon Industrial Site Readiness Program.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to the Oregon Industrial Site Readiness Program; creating new provisions; amending ORS
3 285B.625, 285B.626, 285B.627, 285B.630 and 657.665; and prescribing an effective date.

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

5 **SECTION 1.** ORS 285B.625 is amended to read:

6 285B.625. The Legislative Assembly finds that:

7 (1) Traded sector industries are the foundation of state and regional economic development
8 strategies for long-term prosperity and job creation. **Because traded sector jobs typically pay**
9 **higher than average wages and generate higher than average income tax revenues, such jobs**
10 **play an important role in supporting critical state services.**

11 (2) Industrial development that provides new traded sector jobs reinforces the economies of local
12 and regional communities and contributes to the economic recovery of the State of Oregon.

13 (3) There is a shortage of market-ready regional industrial sites in this state. Project sponsors
14 have limited financial tools to facilitate development of significant and complex industrial sites that
15 are appropriate for traded sector industrial use.

16 (4) Public assistance is necessary to overcome development-related constraints and to incentivize
17 industrial site development in this state.

18 (5) The State of Oregon has a significant interest in the success of regional economic develop-
19 ment strategies and is the primary beneficiary [*from*] **of such economic development through** in-
20 creased income tax revenues [*generated by such economic development*]. These revenues should be

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 shared and invested in facilitating significant site development for traded sector industrial use in
2 this state.

3 **SECTION 2.** ORS 285B.626 is amended to read:

4 285B.626. As used in ORS 285B.625 to 285B.632:

5 [(1) “Compensation” has the meaning given that term pursuant to rules adopted by the Oregon
6 Business Development Department.]

7 [(2)] (1) “Eligible employer” means an employer that:

8 (a) [Has entered into a contract with a project sponsor to conduct a business in the traded sector
9 industry] **Is conducting a traded sector business** on a regionally significant industrial site; and

10 (b)(A) **With respect to a rural site**, has hired **at least 25** full-time employees [*who are resi-*
11 *dents of this state and*] whose [*compensation averages*] **wages average** at least 150 percent of the
12 county or state average wage, whichever is less; **or**

13 **(B) With respect to an urban site, has hired at least 50 full-time employees whose wages**
14 **average at least 150 percent of the county or state average wage, whichever is less.**

15 [(3) “Estimated incremental income tax revenues” means the Oregon personal income tax revenues
16 that are estimated pursuant to ORS 285B.630 to be substantially equivalent to the amount of tax that
17 employees of an eligible employer who are hired after the eligible employer enters into a contract with
18 a qualified project sponsor to conduct a traded sector business on a certified regionally significant in-
19 dustrial site will be required to pay under ORS chapter 316 as a result of compensation paid to the
20 employees by the eligible employer in the tax years beginning with the tax year following the fifth tax
21 year in which a project sponsor was qualified under ORS 285B.627.]

22 (2) **“Estimated incremental income tax revenues” means the Oregon personal income tax**
23 **revenues that are equivalent to the amount of tax that employees of an eligible employer**
24 **who are hired by the eligible employer on a designated regionally significant industrial site**
25 **have paid under ORS chapter 316 in the tax years following the first tax year in which the**
26 **eligible employer begins conducting a traded sector business on the designated regionally**
27 **significant industrial site.**

28 [(4)] (3) “Industrial use” means employment activities, including but not limited to manufactur-
29 ing, assembly, fabrication, processing, storage, logistics, warehousing, importation, distribution,
30 transshipment and research and development, that generate income from the production, handling
31 or distribution of goods or services, including goods or services in the traded sector.

32 [(5)] (4) “Project sponsor” means:

33 (a) A public owner of a regionally significant industrial site that is investing in preparation of
34 the site for industrial use by a third party; or

35 (b) A public entity that has entered into a development or other agreement with the private
36 owner of a regionally significant industrial site to prepare the site for industrial use.

37 [(6)] (5) “Regionally significant industrial site” means [*an area*] **a site** planned and zoned for
38 industrial use that:

39 (a)(A) [*Contains a site or sites, including brownfields, that are*] **Is** suitable for the location of new
40 industrial uses or the expansion of existing industrial uses and that can provide significant addi-
41 tional employment in the region;

42 (B) Has site characteristics that [*give the area*] **provide** significant competitive advantages that
43 are difficult or impossible to replicate in the region; and

44 (C) Has superior access to transportation and freight infrastructure, including but not limited
45 to rail, port, airport, multimodal freight or transshipment facilities and other major transportation

1 facilities or routes; or

2 (b) Is [*land*] **located in an area** designated by Metro, as defined in ORS 197.015, as a regionally
3 significant industrial area.

4 **(6) “Rural site” means a regionally significant industrial site located in an area outside**
5 **of a metropolitan statistical area, as defined by the most recent federal decennial census.**

6 (7) “Traded sector” has the meaning given that term in ORS 285A.010.

7 **(8) “Urban site” means a regionally significant industrial site located in a metropolitan**
8 **statistical area, as defined by the most recent federal decennial census, that is located inside**
9 **a regional or metropolitan urban growth boundary.**

10 [(8)] (9) “Wage” has the meaning given that term pursuant to rules adopted by the Oregon
11 Business Development Department.

12 **SECTION 3.** ORS 285B.627 is amended to read:

13 285B.627. (1) In consultation with the Department of Revenue, the Oregon Business Development
14 Department shall establish and administer the Oregon Industrial Site Readiness Program. The pur-
15 pose of the program is to:

16 (a) Enter into tax reimbursement arrangements with qualified project sponsors pursuant to
17 subsection (5) of this section; or

18 (b) Provide loans, including forgivable loans, to qualified project sponsors pursuant to subsection
19 (5) of this section.

20 (2)(a) Subject to standards and procedures that the Oregon Business Development Department
21 shall establish by rule, the department shall [*certify*] **designate** regionally significant industrial sites
22 for inclusion in the program.

23 (b) A regionally significant industrial site [*certified*] **designated** under this section must be an
24 industrial site that is planned and zoned for industrial use.

25 (3) A project sponsor may apply to participate in the program by submitting an application and
26 development plan in writing in a form prescribed by the department by rule.

27 (4) The department shall establish by rule criteria and standards for the qualification of project
28 sponsors to participate in the program.

29 (5) Upon qualification of a project sponsor under this section, and before July 1, 2023, the de-
30 partment may:

31 (a) Enter into a tax reimbursement arrangement with the project sponsor pursuant to which the
32 project sponsor shall receive an amount equal to 50 percent of the estimated incremental income tax
33 revenues generated by an eligible employer per tax year, beginning with the **first** tax year following
34 the [*fifth*] tax year in which a project sponsor is qualified under this section, until the total invest-
35 ment of the qualified project sponsor in the eligible site preparation costs, including interest, es-
36 tablished under subsection (7) of this section has been recovered, at which time the tax
37 reimbursement arrangement shall end; or

38 (b) Enter into a loan agreement with the project sponsor under terms and conditions specified
39 and required by the department. In making a determination to enter into a loan agreement with the
40 project sponsor, the department shall consider the reasonableness of the project sponsor’s estimated
41 costs to prepare the site for industrial use, including but not limited to eligible site preparation
42 costs established by the department pursuant to subsection (7) of this section. The agreement may
43 specify that a portion of the loan may be forgiven if the project sponsor enters into a contract with
44 an eligible employer to conduct a business in the traded sector industry on a regionally significant
45 industrial site within seven years after the project sponsor was qualified under this section.

1 (6)(a) The total amount of the loan that may be forgiven under subsection (5) of this section is
2 the lesser of:

3 (A) Fifty percent of the total cost of eligible site preparation costs; or

4 (B) Fifty percent of the amount of the estimated incremental income tax revenues for the eligible
5 employer for the term of the loan.

6 (b) Loan forgiveness may not be allowed under subsection (5) of this section if any portion of
7 the loan that would not be forgiven would be repaid by the project sponsor with state funds received
8 from any source.

9 (7) The department shall establish, by rule, eligible site preparation costs including, but not
10 limited to, some or all of the following:

11 (a) Acquisition and assembly costs associated with creating large development parcels.

12 (b) Transportation improvements such as access roads, intersections, turning lanes, signals,
13 sidewalks, curbs, transit stops and storm drains.

14 (c) Water and sewer infrastructure.

15 (d) Natural resource mitigation.

16 (e) Site grading activities.

17 (f) Environmental remediation and mitigation activities to address brownfields issues in accord-
18 ance with state and federally approved remediation plans.

19 (g) Planning, engineering and administrative costs associated with applying for necessary local,
20 state and federal permits.

21 (h) Interest-carrying costs incurred by a project sponsor for amounts borrowed to develop a re-
22 regionally significant industrial site, not to exceed 20 percent of the total amount forgiven, if any,
23 under subsection (5) of this section.

24 (8) The total amount of tax reimbursement arrangements and loan amounts authorized under this
25 section may not exceed \$10 million per year.

26 (9) Funds received pursuant to a tax reimbursement arrangement or a loan agreement under
27 subsection (5) of this section may not be used for the payment of:

28 (a) A penalty or fine; or

29 (b) Environmental remediation activities conducted at a regionally significant industrial site that
30 is listed or proposed to be listed as a national priority pursuant to the Comprehensive Environ-
31 mental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9605) for which the project
32 sponsor, eligible employer or any party to the tax reimbursement arrangement or loan agreement
33 is liable under 42 U.S.C. 9607 at that regionally significant industrial site.

34 (10) The department shall adopt rules to administer and implement the provisions of this section
35 [*including, but not limited to, the development of performance measures for eligible employers regarding*
36 *job creation and compensation under ORS 285B.626 (2)(b)*].

37 **SECTION 4.** ORS 285B.630 is amended to read:

38 285B.630. (1) [*Beginning with*] **On or before April 1 of each tax year following the first** tax
39 year [*following the fifth tax year*] in which [*a project sponsor was qualified*] **an employee of an eli-**
40 **gible employer on a regionally significant industrial site designated** under ORS 285B.627[*on*
41 *or before April 1 following each tax year in which employees of an eligible employer*] will be required
42 to pay personal income taxes under ORS chapter 316, [*the eligible employer and the project sponsor*
43 *with which the eligible employer has entered into a contract under ORS 285B.625 to 285B.632 shall*
44 *submit a report to the Oregon Business Development Department, in addition to any other reporting*
45 *or filing requirement, that contains the annual amount of taxable income and total compensation paid*

1 to employees of the eligible employer and any other information that may be required by the Oregon
2 Business Development Department and the Oregon Department of Administrative Services under this
3 section] **the Oregon Business Development Department shall obtain employment and wage**
4 **information for the eligible employer at the regionally significant industrial site.**

5 (2) [Upon receipt of information compiled under] **After obtaining the employment and wage**
6 **information described in** subsection (1) of this section, the Oregon [Department of Administrative
7 Services] **Business Development Department** shall determine the annual amount of estimated in-
8 cremental income tax revenues generated by an eligible employer per tax year[, beginning with the
9 tax year following the fifth tax year in which a project sponsor was qualified under ORS 285B.627].

10 (3) In determining the amount of estimated incremental income tax revenues generated by an
11 eligible employer under this section, the Oregon [Department of Administrative Services] **Business**
12 **Development Department** may rely on reasonable techniques of estimation, if appropriate.

13 (4) Not later than May 15 of each [fiscal] year, the Oregon [Department of Administrative Ser-
14 vices] **Business Development Department** shall **request that the Oregon Department of Ad-**
15 **ministrative Services** certify the amounts determined under subsection (2) of this section to the
16 Department of Revenue, the Legislative Revenue Officer and the Legislative Fiscal Officer.

17 (5) Not later than June 15 of each [fiscal] year, after receiving the certification under subsection
18 (4) of this section, the Department of Revenue shall transfer to the Oregon Industrial Site Readiness
19 Program Fund established in ORS 285B.632 an amount equal to 50 percent of the amount of esti-
20 mated incremental income tax revenues certified under subsection (4) of this section, **not to exceed**
21 **the amount of eligible site preparation costs, including interest, established under ORS**
22 **285B.627 (7).**

23 (6) The Department of Revenue shall retain unreceipted revenue from the tax imposed under
24 ORS chapter 316 in an amount necessary to make the transfers required under subsection (5) of this
25 section. The department shall make the transfers out of the unreceipted revenue in lieu of paying
26 the revenue over to the State Treasurer for deposit in the General Fund.

27 (7) The Oregon Business Development Department [and the Oregon Department of Administrative
28 Services] shall adopt rules necessary to administer this section. The Department of Revenue may
29 adopt rules necessary to administer this section.

30 **SECTION 5.** ORS 657.665 is amended to read:

31 657.665. (1) Except as provided in subsections (2) to (5) of this section, all information in the
32 records of the Employment Department pertaining to the administration of the unemployment in-
33 surance, employment service and labor market information programs:

34 (a) Is confidential and for the exclusive use and information of the Director of the Employment
35 Department in administering the unemployment insurance, employment service and labor market
36 information programs in Oregon.

37 (b) May not be used in any court action or in any proceeding pending in the court unless the
38 director or the state is a party to the action or proceeding or unless the proceeding concerns the
39 establishment, enforcement or modification of a support obligation and support services are being
40 provided by the Division of Child Support or the district attorney pursuant to ORS 25.080.

41 (c) Is exempt from disclosure under ORS 192.410 to 192.505.

42 (2) The Employment Department shall disclose information:

43 (a) To any claimant or legal representative, at a hearing before an administrative law judge, to
44 the extent necessary for the proper presentation of an unemployment insurance claim.

45 (b) Upon request to the United States Secretary of Labor. The Employment Department shall

1 disclose the information in a form and containing the information that the United States Secretary
2 of Labor may require. The information disclosed is confidential and may not be used for any other
3 purpose.

4 (c) Pursuant to section 303(a)(7) of the Social Security Act, upon request to any agency of the
5 United States charged with the administration of public works or assistance through public em-
6 ployment. Under this paragraph, the Employment Department shall disclose the name, address, or-
7 dinary occupation and employment status of each recipient of unemployment insurance benefits and
8 a statement of the recipient's right to further benefits under this chapter. The information disclosed
9 is confidential and may not be used for any other purpose.

10 (d) Pursuant to section 303(c)(1) of the Social Security Act, to the Railroad Retirement Board.
11 Under this paragraph, the Employment Department shall disclose unemployment insurance records.
12 The information disclosed is confidential and may not be used for any other purpose. The costs of
13 disclosing information under this paragraph shall be paid by the board.

14 (e) Pursuant to section 303(d) of the Social Security Act, upon request to officers and employees
15 of the United States Department of Agriculture and to officers or employees of any state Supple-
16 mental Nutrition Assistance Program agency for the purpose of determining an individual's eligibil-
17 ity for or the amount of supplemental nutrition assistance. The information disclosed is confidential
18 and may not be used for any other purpose. The costs of disclosing information under this paragraph
19 shall be paid by the United States Department of Agriculture.

20 (f) Pursuant to section 303(e)(1) and (2)(A)(ii) of the Social Security Act, to state or local child
21 support enforcement agencies enforcing child support obligations under Title IV-D of the Social Se-
22 curity Act for the purposes of establishing child support obligations, locating individuals owing child
23 support obligations and collecting child support obligations from those individuals. The information
24 disclosed is confidential and may not be used for any other purpose. The costs of disclosing infor-
25 mation under this paragraph shall be paid by the child support enforcement agency.

26 (g) Pursuant to sections 303(f) and 1137 of the Social Security Act, to agencies participating in
27 the income and eligibility verification system for the purpose of verifying an individual's eligibility
28 for benefits, or the amount of benefits, under unemployment insurance, temporary assistance for
29 needy families, Medicaid, the Supplemental Nutrition Assistance Program, Supplemental Security
30 Income, child support enforcement or Social Security programs. The information disclosed is confi-
31 dential and may not be used for any other purpose. The costs of disclosing information under this
32 paragraph shall be paid by the requesting agency.

33 (h) Pursuant to section 303(h) of the Social Security Act and section 3304(a)(16)(B) of the Federal
34 Unemployment Tax Act, to the United States Department of Health and Human Services National
35 Directory of New Hires. The information disclosed is confidential and may not be used for any other
36 purpose. The costs of disclosing information under this paragraph shall be paid by the United States
37 Department of Health and Human Services.

38 (i) Pursuant to section 303(i) of the Social Security Act, to officers and employees of the United
39 States Department of Housing and Urban Development and to representatives of a public housing
40 agency for the purpose of determining an individual's eligibility for benefits, or the amount of ben-
41 efits, under a housing assistance program of the United States Department of Housing and Urban
42 Development. The information disclosed is confidential and may not be used for any other purpose.
43 The costs of disclosing information under this paragraph shall be paid by the United States De-
44 partment of Housing and Urban Development or the public housing agency.

45 (j) Pursuant to regulations of the United States Secretary of Health and Human Services issued

1 under section 3304(a)(16)(A) of the Federal Unemployment Tax Act, and except as required by sec-
2 tion 303 of the Social Security Act, to the state, a political subdivision or a federally recognized
3 Indian tribe that has signed an agreement with the Department of Human Services to administer
4 Part A of Title IV of the Social Security Act for the purpose of determining an individual's eligibility
5 for assistance, or the amount of assistance, under a program funded under Part A of Title IV of the
6 Social Security Act. The information disclosed is confidential and may not be used for any other
7 purpose.

8 (k) Upon request, to the United States Attorney's Office. Under this paragraph, the Employment
9 Department may disclose an individual's employment and wage information in response to a federal
10 grand jury subpoena or for the purpose of collecting civil and criminal judgments, including
11 restitution and special assessment fees. The information disclosed is confidential and may not be
12 used for any other purpose. The costs of disclosing information under this paragraph shall be paid
13 by the United States Attorney's Office.

14 (3) The Employment Department may disclose information secured from employing units:

15 (a) To agencies of this state, federal agencies and local government agencies to the extent nec-
16 essary to properly carry out governmental planning, performance measurement, program analysis,
17 socioeconomic analysis and policy analysis functions performed under applicable law. The informa-
18 tion disclosed is confidential and may not be disclosed by the agencies in any manner that would
19 identify individuals, claimants, employees or employing units. If the information disclosed under this
20 paragraph is not prepared for the use of the Employment Department, the costs of disclosing the
21 information shall be paid by the agency requesting the information.

22 (b) As part of a geographic information system. Points on a map may be used to represent eco-
23 nomic data, including the location, employment size class and industrial classification of businesses
24 in Oregon. Information presented as part of a geographic information system may not give specific
25 details regarding a business's address, actual employment or proprietary information. If the infor-
26 mation disclosed under this paragraph is not prepared for the use of the Employment Department,
27 the costs of disclosing the information shall be paid by the party requesting the information.

28 (c) In accordance with ORS 657.673.

29 (4) The Employment Department may:

30 (a) Disclose information to public employees in the performance of their duties under state or
31 federal laws relating to the payment of unemployment insurance benefits, the provision of employ-
32 ment services and the provision of labor market information.

33 (b) At the discretion of the Director of the Employment Department and subject to an intera-
34 gency agreement, disclose information to public officials in the performance of their official duties
35 administering or enforcing laws within their authority and to the agents or contractors of public
36 officials. The public official shall agree to assume responsibility for misuse of the information by
37 the official's agent or contractor.

38 (c) Disclose information pursuant to an informed consent, received from an employer or claim-
39 ant, to disclose the information.

40 (d) Disclose information to partners under the federal Workforce Investment Act of 1998 for the
41 purpose of administering state workforce programs under the Act. The information disclosed is
42 confidential and may not be used for any other purpose. The costs of disclosing information under
43 this paragraph shall be paid by the requesting partner.

44 (e) Disclose the names and addresses of employing units to the Bureau of Labor and Industries
45 for the purpose of disseminating information to employing units. The names and addresses disclosed

1 are confidential and may not be used for any other purpose. If the information disclosed under this
 2 paragraph is not prepared for the use of the Employment Department, the costs of disclosing the
 3 information shall be paid by the bureau.

4 (f) Disclose information to the Commissioner of the Bureau of Labor and Industries for the
 5 purpose of performing duties under ORS 279C.800 to 279C.870, 658.005 to 658.245 or 658.405 to
 6 658.503 or ORS chapter 652, 653 or 659A. The information disclosed may include the names and ad-
 7 dresses of employers and employees and payroll data of employers and employees. The information
 8 disclosed is confidential and may not be used for any other purpose. If the information disclosed
 9 under this paragraph is not prepared for the use of the Employment Department, the costs of dis-
 10 closing the information shall be paid by the bureau.

11 (g) Disclose information required under ORS 657.660 (3) and (4) to the Public Employees Re-
 12 tirement System for the purpose of determining the eligibility of members of the retirement system
 13 for disability retirement allowances under ORS chapter 238. The information disclosed is confiden-
 14 tial and may not be used for any other purpose. The costs of disclosing information under this par-
 15 agraph shall be paid by the Public Employees Retirement System.

16 (h) Disclose to the Oregon Business Development Commission **and the Oregon Business De-**
 17 **velopment Department** information required by the commission **and the department** in perform-
 18 ing [*its duty*] **their duties** under ORS 285A.050 **and 285B.630** to verify changes in employment levels
 19 following direct employer participation in [*Oregon Business Development*] department programs or
 20 indirect participation through municipalities under ORS 285B.410 to 285B.482. The information dis-
 21 closed to the commission **and the department** may include an employer's employment level, total
 22 subject wages payroll and whole hours worked. The information disclosed is confidential and may
 23 not be used for any other purpose. The commission **and the department** may not disclose the in-
 24 formation in any manner that would identify an employing unit or employee except to the extent
 25 necessary to carry out the commission's [*duty*] **and the department's duties** under ORS 285A.050
 26 **and 285B.630**. If the information disclosed under this paragraph is not prepared for the use of the
 27 Employment Department, the costs of disclosing the information shall be paid by the commission
 28 **or the Oregon Business Development Department**.

29 (i) Disclose information to the Department of Revenue for the purpose of performing its duties
 30 under ORS 293.250 or under the revenue and tax laws of this state. The information disclosed may
 31 include the names and addresses of employers and employees and payroll data of employers and
 32 employees. The information disclosed is confidential and may not be disclosed by the Department
 33 of Revenue in any manner that would identify an employing unit or employee except to the extent
 34 necessary to carry out the department's duties under ORS 293.250 or in auditing or reviewing any
 35 report or return required or permitted to be filed under the revenue and tax laws administered by
 36 the department. The Department of Revenue may not disclose any information received to any pri-
 37 vate collection agency or for any other purpose. If the information disclosed under this paragraph
 38 is not prepared for the use of the Employment Department, the costs of disclosing the information
 39 shall be paid by the Department of Revenue.

40 (j) Disclose information to the Department of Consumer and Business Services for the purpose
 41 of performing its duties under ORS chapters 654 and 656. The information disclosed may include the
 42 name, address, number of employees and industrial classification code of an employer and payroll
 43 data of employers and employees. The information disclosed is confidential and may not be disclosed
 44 by the Department of Consumer and Business Services in any manner that would identify an em-
 45 ploying unit or employee except to the extent necessary to carry out the department's duties under

1 ORS chapters 654 and 656, including administrative hearings and court proceedings in which the
2 Department of Consumer and Business Services is a party. If the information disclosed under this
3 paragraph is not prepared for the use of the Employment Department, the costs of disclosing the
4 information shall be paid by the Department of Consumer and Business Services.

5 (k) Disclose information to the Construction Contractors Board for the purpose of performing
6 its duties under ORS chapter 701. The information disclosed to the board may include the names and
7 addresses of employers and status of their compliance with this chapter. If the information disclosed
8 under this paragraph is not prepared for the use of the Employment Department, the costs of dis-
9 closing the information shall be paid by the board.

10 (L) Disclose information to the State Fire Marshal to assist the State Fire Marshal in carrying
11 out duties under ORS 453.307 to 453.414. The information disclosed may include the name, address,
12 telephone number and industrial classification code of an employer. The information disclosed is
13 confidential and may not be disclosed by the State Fire Marshal in any manner that would identify
14 an employing unit except to the extent necessary to carry out duties under ORS 453.307 to 453.414.
15 If the information disclosed under this paragraph is not prepared for the use of the Employment
16 Department, the costs of disclosing the information shall be paid by the office of the State Fire
17 Marshal.

18 (m) Disclose information to the Higher Education Coordinating Commission for the purpose of
19 performing the commission's duties under ORS chapter 348 and Title IV of the Higher Education
20 Act of 1965. The information disclosed may include the names and addresses of employers and em-
21 ployees and payroll data of employers and employees. The information disclosed is confidential and
22 may not be disclosed by the commission in any manner that would identify an employing unit or
23 employee except to the extent necessary to carry out the commission's duties under ORS chapter
24 348 or Title IV of the Higher Education Act of 1965. If the information disclosed under this para-
25 graph is not prepared for the use of the Employment Department, the costs of disclosing the infor-
26 mation shall be paid by the commission.

27 (n) Disclose information to the Department of Transportation to assist the Department of
28 Transportation in carrying out the duties of the Department of Transportation relating to collection
29 of delinquent and liquidated debts, including taxes, under ORS 184.610 to 184.656, 184.670 to 184.733
30 and 805.263, ORS chapter 319 and the Oregon Vehicle Code. The information disclosed may include
31 the names and addresses of employers and employees and payroll data of employers and employees.
32 The information disclosed is confidential and may not be disclosed by the Department of Transpor-
33 tation in any manner that would identify an employing unit or employee except to the extent nec-
34 essary to carry out the Department of Transportation's duties relating to collection of delinquent
35 and liquidated debts or in auditing or reviewing any report or return required or permitted to be
36 filed under the revenue and tax laws administered by the Department of Transportation. The De-
37 partment of Transportation may not disclose any information received to any private collection
38 agency or for any other purpose. If the information disclosed under this paragraph is not prepared
39 for the use of the Employment Department, the costs of disclosing the information shall be paid by
40 the Department of Transportation.

41 (o) Disclose information to the Department of Human Services and the Oregon Health Authority
42 to assist the Department of Human Services and the Oregon Health Authority in the collection of
43 debts that the Department of Human Services and the Oregon Health Authority are authorized by
44 law to collect. The information disclosed may include the names, addresses and payroll data of em-
45 ployers and employees. The information disclosed is confidential and may not be disclosed by the

1 Department of Human Services or the Oregon Health Authority in a manner that would identify an
 2 employing unit or employee except to the extent necessary for the collection of debts as described
 3 in this paragraph. The Department of Human Services and the Oregon Health Authority may not
 4 disclose information received under this paragraph to a private collection agency or use the infor-
 5 mation for a purpose other than the collection of debts as described in this paragraph. If the infor-
 6 mation disclosed under this paragraph is not prepared for the use of the Employment Department,
 7 the costs of disclosing the information shall be paid by the Department of Human Services or the
 8 Oregon Health Authority.

9 (p) Disclose to the Alcohol and Drug Policy Commission information required by the commission
 10 in evaluating and measuring the performance of alcohol and drug prevention and treatment pro-
 11 grams under ORS 430.242 or the impact of the programs on employment. The information disclosed
 12 to the commission may include total subject wages payroll and whole hours worked. The information
 13 disclosed under this paragraph is confidential and may not be used for any other purpose. The
 14 commission may not disclose the information in any manner that would identify an employing unit
 15 or employee except to the extent necessary to carry out the commission's duties under ORS 430.242.
 16 If the information disclosed under this paragraph is not prepared for the use of the Employment
 17 Department, the costs of disclosing the information shall be paid by the commission.

18 (q) Disclose to any person establishment level information secured pursuant to this chapter from
 19 federal, state and local government employing units. If the information disclosed under this para-
 20 graph is not prepared for the use of the Employment Department, the costs of disclosing the infor-
 21 mation shall be paid by the party requesting the information.

22 (r) Disclose to any person the industrial classification code assigned to an employing unit. If the
 23 information disclosed under this paragraph is not prepared for the use of the Employment Depart-
 24 ment, the costs of disclosing the information shall be paid by the party requesting the information.

25 (5) The Employment Department may make public all decisions of the Employment Appeals
 26 Board.

27 (6) Any officer appointed by or any employee of the Director of the Employment Department
 28 who discloses confidential information, except with the authority of the director, pursuant to rules
 29 or as otherwise required by law, may be disqualified from holding any appointment or employment
 30 with the Employment Department.

31 (7) Any person or any officer or employee of an entity to whom information is disclosed by the
 32 Employment Department under this section who divulges or uses the information for any purpose
 33 other than that specified in the provision of law or agreement authorizing the use or disclosure may
 34 be disqualified from performing any service under contract or disqualified from holding any ap-
 35 pointment or employment with the state agency that engaged or employed that person, officer or
 36 employee. The Employment Department may immediately cancel or modify any information sharing
 37 agreement with an entity when a person or an officer or employee of that entity discloses confi-
 38 dential information, other than as specified in law or agreement.

39 **SECTION 6. No later than September 15, 2018, the Oregon Business Development De-**
 40 **partment shall submit a report to the interim legislative committees on economic develop-**
 41 **ment regarding the Oregon Industrial Site Readiness Program.**

42 **SECTION 7. Section 6 of this 2017 Act is repealed on January 2, 2019.**

43 **SECTION 8. This 2017 Act takes effect on the 91st day after the date on which the 2017**
 44 **regular session of the Seventy-ninth Legislative Assembly adjourns sine die.**