

**Enrolled**  
**Senate Bill 491**

Sponsored by Senator GELSER, Representatives PILUSO, STARK; Representatives ALONSO LEON, HAYDEN, SOLLMAN (Presession filed.)

CHAPTER .....

AN ACT

Relating to housing for individuals with developmental disabilities; creating new provisions; amending ORS 427.340; and repealing ORS 427.345.

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

**SECTION 1.** (1) Notwithstanding the continuous appropriation of moneys in the Developmental Disabilities Community Housing Fund established under ORS 427.340, the balance of moneys remaining in the Community Housing Trust Account established in ORS 427.340 on the effective date of this 2019 Act that are unexpended, unobligated and not subject to any conditions shall be transferred to the Oregon Community Foundation for the purposes described in ORS 427.335. The foundation shall be advised by and shall consult with the advisory committee appointed under section 2 of this 2019 Act regarding any expenditures made from the moneys transferred to the foundation under this section.

(2) The Oregon Community Foundation shall annually report to the Department of Human Services the balance remaining of the moneys transferred under subsection (1) of this section and the uses for expenditures made from the moneys transferred. If the department finds that any expenditure is not authorized under the requirements of ORS 427.335, the foundation must pay to the department the amount of the unauthorized expenditure. The department shall deposit the payment to the Developmental Disabilities Community Housing Fund.

**SECTION 2.** The Oregon Council on Developmental Disabilities shall appoint an advisory committee to advise and consult with the Oregon Community Foundation in making expenditures under section 1 of this 2019 Act. The committee must include one individual each to represent:

- (1) Support services brokerages;
- (2) Community developmental disability programs;
- (3) Oregon coalitions consisting of individuals with intellectual or developmental disabilities who encourage and facilitate self-advocacy by individuals with intellectual or developmental disabilities;
- (4) Families of individuals with intellectual or developmental disabilities;
- (5) The Housing and Community Services Department;
- (6) Community-based residential providers of services to individuals with intellectual or developmental disabilities; and
- (7) The system described in ORS 192.517 (1).

**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)] (2) 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)] (c) Moneys reallocated from other areas of the Department of Human Services' budget; and*

*[(e)] (d) 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.]*

*[(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. ORS 427.345 is repealed.**

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**Passed by Senate June 13, 2019**

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

**Passed by House June 19, 2019**

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Tina Kotek, Speaker of House

**Received by Governor:**

.....M,....., 2019

**Approved:**

.....M,....., 2019

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Kate Brown, Governor

**Filed in Office of Secretary of State:**

.....M,....., 2019

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Bev Clarno, Secretary of State