

# Senate Bill 491

Sponsored by Senator GELSER, Representatives PILUSO, STARK (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**.

Transfers from Department of Human Services to Oregon Community Foundation responsibility for administering Fairview housing trust. Transfers unexpended balance of moneys in Community Housing Trust Account to Oregon Community Foundation for purpose of providing housing to individuals with intellectual disabilities or other developmental disabilities.

Requires Oregon Community Foundation to annually report to department balance remaining of moneys transferred and uses for expenditures of funds. Requires foundation to repay to department moneys used for unauthorized purpose.

## A BILL FOR AN ACT

1  
2 Relating to housing for individuals with developmental disabilities; creating new provisions; amend-  
3 ing ORS 427.340; and repealing ORS 427.345.

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

5 **SECTION 1. (1) Notwithstanding the continuous appropriation of moneys in the Devel-**  
6 **opmental Disabilities Community Housing Fund established under ORS 427.340, the balance**  
7 **of moneys remaining in the Community Housing Trust Account established in ORS 427.340**  
8 **on the effective date of this 2019 Act that are unexpended, unobligated and not subject to**  
9 **any conditions shall be transferred to the Oregon Community Foundation for the purposes**  
10 **described in ORS 427.335 (1) and (2).**

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

18 **SECTION 2. ORS 427.340 is amended to read:**

19 427.340. (1) There is established a Developmental Disabilities Community Housing Fund in the  
20 State Treasury, separate and distinct from the General Fund. All moneys in the Developmental  
21 Disabilities Community Housing Fund are continuously appropriated to the Department of Human  
22 Services to pay expenses incurred by the Department of Human Services in carrying out the pro-  
23 visions of ORS 427.330 and 427.335. Interest earned on moneys in the fund shall be credited to the  
24 fund.

25 *[(2) There is established within the fund a Community Housing Trust Account. Notwithstanding*  
26 *the provisions of ORS 270.150, the Department of Human Services shall negotiate with the Oregon*  
27 *Department of Administrative Services to apply the proceeds from the sale, transfer or lease of any*  
28 *surplus real property owned, operated or controlled by the Department of Human Services and used*

**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 *as a state training center to the account. The Department of Human Services may expend, for the*  
 2 *purposes of ORS 427.330 to 427.345, any earnings credited to the account, including any income from*  
 3 *the lease of surplus property and any interest earned on moneys deposited in the account, and up to*  
 4 *five percent of any sale or transfer proceeds initially credited to the account by the Oregon Department*  
 5 *of Administrative Services. At least 95 percent of all sale or transfer proceeds shall remain in the ac-*  
 6 *count in perpetuity.]*

7 [(3)] (2) The fund shall consist of:

8 (a) Moneys appropriated to the fund by the Legislative Assembly;

9 (b) Repayment of financial assistance provided to housing providers or care providers for com-  
 10 munity housing under ORS 427.335 (3);

11 [(c) *Proceeds from the account under subsection (2) of this section;*]

12 [(d)] (c) Moneys reallocated from other areas of the Department of Human Services' budget; and

13 [(e)] (d) Any earnings or interest credited to the fund.

14 [(4) *Moneys in the Community Housing Trust Account may, with the approval of the State Treas-*  
 15 *urer, be invested as provided under ORS 293.701 to 293.857, and the earnings from such investments*  
 16 *must be credited to the Community Housing Trust Account.*]

17 [(5)] (3) The Department of Human Services shall provide a report of revenues to and expen-  
 18 ditures from the fund as part of its budget submission to the Governor and Legislative Assembly  
 19 under ORS chapter 291.

20 **SECTION 3. ORS 427.345 is repealed.**