

Requested by Representative WILDE

**PROPOSED AMENDMENTS TO  
HOUSE BILL 2208**

1 On page 1 of the printed bill, delete lines 4 through 29 and delete pages  
2 2 and 3 and insert:

3 **“SECTION 1. (1) As used in this section:**

4 **“(a)(A) ‘Eligible costs’ means:**

5 **“(i) Demolition, the restoration of similar architectural finishes,**  
6 **work on electrical, plumbing and mechanical systems and other direct**  
7 **structural costs of seismic retrofitting; and**

8 **“(ii) Architectural, engineering, project management, insurance,**  
9 **testing and other service costs related to retrofitting.**

10 **“(B) ‘Eligible costs’ does not mean:**

11 **“(i) Remodeling or refurbishing costs intended to enhance aesthet-**  
12 **ics, functionality or marketability without extending seismic life**  
13 **safety; or**

14 **“(ii) Relocation costs or loss of rent during improvement of the**  
15 **seismic safety, stability or resiliency of an eligible property.**

16 **“(b) ‘Eligible property’ means real property improvements:**

17 **“(A) Constructed before January 1, 1993; and**

18 **“(B) Having exteriors constructed primarily of unreinforced**  
19 **masonry, unreinforced concrete or other building materials declared**  
20 **seismically dangerous by city or county ordinance or by a city or**  
21 **county governing body resolution.**

1       “(2) The Oregon Business Development Department shall adminis-  
2       ter a program, to be known as the Unreinforced Masonry Seismic  
3       Safety Program, for the purpose of awarding grants on an annual  
4       competitive basis from the Oregon Unreinforced Masonry Seismic  
5       Safety Fund established under section 2 of this 2019 Act. The depart-  
6       ment shall award and disburse grants under the program for the pur-  
7       poses of:

8       “(a) Improving, on a statewide basis, the seismic safety, stability  
9       and resiliency of eligible properties; and

10       “(b) Promoting improvements in seismic safety, stability and  
11       resiliency that will lead to private investment, job creation or re-  
12       tention, the establishment or expansion of viable businesses or the  
13       creation of a stronger tax base.

14       “(3) Grant applications must state with specificity the proposed  
15       improvements to the seismic safety, stability and resiliency of the el-  
16       igible property. The proposed improvements must be sufficient to meet  
17       or exceed the seismic performance level for eligible properties estab-  
18       lished by the department by rule.

19       “(4) In awarding grants under the program, the department shall  
20       give priority to grants for:

21       “(a) Eligible property owned by, or primarily benefitting, a  
22       nonprofit corporation as defined in ORS 65.001; and

23       “(b) Categories of eligible property identified by the department by  
24       rule.

25       “(5) Subject to subsection (6) of this section, an annual grant  
26       awarded to an applicant under this section may not exceed the lesser  
27       of:

28       “(a) Thirty-five percent of the total eligible costs spent on eligible  
29       properties; or

30       “(b) \$1,500,000 for each eligible property.

1       **“(6) Except as provided in this subsection, the department shall re-**  
2 **duce the grant for an eligible property by the amount of any tax**  
3 **credits or grants received from Oregon state government, as defined**  
4 **in ORS 174.111, in connection with the property. A grant under this**  
5 **section may not exceed the difference between the eligible cost and the**  
6 **total amount received to pay for the eligible cost from all other**  
7 **sources, such as tax credits or grants.**

8       **“(7) The department shall adopt a formula for making grants under**  
9 **the program that reserves a minimum of 25 percent of available grant**  
10 **funds for projects outside of the Portland metropolitan area urban**  
11 **growth boundary.**

12       **“(8) The department shall:**

13       **“(a) Develop criteria for determining the eligibility of grant appli-**  
14 **cants and proposed projects;**

15       **“(b) Provide project oversight and monitoring for grant awardees;**

16       **“(c) Provide regular updates to other state agencies that have an**  
17 **interest in the carrying out of the program;**

18       **“(d) Adopt rules for the purposes of carrying out the program; and**

19       **“(e) Appoint an advisory group of individuals qualified to review**  
20 **grant applications, advise on the carrying out of the program and**  
21 **perform other program-related duties as determined by the depart-**  
22 **ment.**

23       **“(9) The department shall require each grant recipient to file a**  
24 **sworn statement upon completion of the eligible project identifying the**  
25 **amounts and types of moneys received for the eligible project and the**  
26 **source of those moneys.**

27       **“(10) In adopting rules under this section, the department may**  
28 **consult with other state agencies having an interest in the carrying**  
29 **out of the program.**

30       **“SECTION 2. The Oregon Unreinforced Masonry Seismic Safety**

1 Fund is established in the State Treasury, separate and distinct from  
2 the General Fund. Interest earned by the Oregon Unreinforced  
3 Masonry Seismic Safety Fund shall be credited to the fund. Moneys in  
4 the fund are continuously appropriated to the Oregon Business De-  
5 velopment Department for the purpose of carrying out the Unrein-  
6 forced Masonry Seismic Safety Program described in section 1 of this  
7 2019 Act. The fund shall consist of any moneys designated for deposit  
8 in the fund or for carrying out the program, including but not limited  
9 to appropriations or other provisions of moneys by the Legislative  
10 Assembly, bond proceeds and public or private moneys from gifts,  
11 grants or donations.

12 **“SECTION 3. (1) In addition to and not in lieu of bonds authorized**  
13 **pursuant to ORS 286A.035, for the biennium ending June 30, 2021, at**  
14 **the request of the Oregon Department of Administrative Services, af-**  
15 **ter the department consults with the Oregon Business Development**  
16 **Department, the State Treasurer is authorized to issue lottery bonds**  
17 **pursuant to ORS 286A.560 to 286A.585 in an amount that produces**  
18 **\$20,000,000 in net proceeds and interest earnings for the purposes de-**  
19 **scribed in subsection (2) of this section, plus an additional amount**  
20 **estimated by the State Treasurer to be necessary to pay bond-related**  
21 **costs.**

22 **“(2) Net proceeds of lottery bonds issued under this section must**  
23 **be transferred to the Oregon Business Development Department for**  
24 **deposit in the Oregon Unreinforced Masonry Seismic Safety Fund es-**  
25 **tablished under section 2 of this 2019 Act.**

26 **“(3) The Legislative Assembly finds that the use of lottery bond**  
27 **proceeds for the purpose of carrying out the Unreinforced Masonry**  
28 **Seismic Safety Program described in section 1 of this 2019 Act will**  
29 **create jobs, further economic development and enhance the economic**  
30 **vitality of Oregon communities, and is authorized based on the fol-**

1 **lowing findings:**

2 **“(a) Masonry and concrete buildings are an integral part of the**  
3 **commercial, industrial and nonprofit infrastructure of this state. Un-**  
4 **reinforced masonry and unreinforced concrete buildings pose a signif-**  
5 **icant risk to that infrastructure in the event of an earthquake.**

6 **“(b) Improvements to the seismic safety, stability and resiliency of**  
7 **unreinforced masonry and unreinforced concrete buildings will create**  
8 **jobs and promote economic development within this state.**

9 **“SECTION 4. The Oregon Business Development Department shall**  
10 **report regarding the Unreinforced Masonry Seismic Safety Program**  
11 **to an interim committee of the Legislative Assembly relating to**  
12 **emergency preparedness, in the manner provided by ORS 192.245, no**  
13 **later than September 15, 2021. The report shall include, but need not**  
14 **be limited to, information concerning applications received and grants**  
15 **issued under the program and concerning the distribution of applica-**  
16 **tions and grants between the Portland metropolitan area urban growth**  
17 **boundary and the rest of this state.**

18 **“SECTION 5. This 2019 Act takes effect on the 91st day after the**  
19 **date on which the 2019 regular session of the Eightieth Legislative**  
20 **Assembly adjourns sine die.”.**

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