

House Bill 4211

Sponsored by Representative KOTEK (at the request of Joint Committee on the First Special Session of 2020)

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**.

Clarifies timing of when Department of Education is required to make transfers from Fund for Student Success.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to the Fund for Student Success; amending ORS 327.001; and declaring an emergency.

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

4 **SECTION 1.** ORS 327.001 is amended to read:

5 327.001. (1) The Fund for Student Success is established in the State Treasury, separate and
6 distinct from the General Fund.

7 (2) The Fund for Student Success shall consist of moneys appropriated by the Legislative As-
8 sembly, moneys transferred to the fund under ORS 317A.155 and moneys received as provided in
9 subsection (3) of this section.

10 (3) The Department of Education, on behalf of the State of Oregon, may solicit and accept gifts,
11 grants, donations and other moneys from public and private sources for the Fund for Student Suc-
12 cess. Moneys received as provided in this subsection shall be deposited into the Fund for Student
13 Success.

14 (4) Moneys in the Fund for Student Success are continuously appropriated to the department for:

15 (a) Transfer **for each biennium** to the State School Fund in the amount calculated by the
16 Legislative Fiscal Officer and the Legislative Revenue Officer to be the sum of:

17 (A) At least \$40 million, for the purpose of a transfer under ORS 327.008 (11) to the High Cost
18 Disabilities Account established in ORS 327.348; and

19 (B) The amount of change in General Fund revenue to be collected in the biennium due to the
20 amendments to ORS 316.037 by section 56, chapter 122, Oregon Laws 2019, and the operation of ORS
21 317A.100 to 317A.158.

22 (b) Of the amount [*remaining*] in the Fund for Student Success [*after the transfer*] **that is not**
23 **dedicated for transfer as** prescribed by paragraph (a) of this subsection, transfer to other educa-
24 tion accounts as follows:

25 (A) At least 50 percent to the Student Investment Account established in ORS 327.175.

26 (B) Up to 30 percent to the Statewide Education Initiatives Account established in ORS 327.250.

27 (C) At least 20 percent to the Early Learning Account established in ORS 327.269.

28 (5) **The department shall make the transfers prescribed by subsection (4) of this section**
29 **on a periodic basis. The transfers must be in amounts that, based on the most recent data**
30 **available to the department, ensure that the amounts and percentages identified in sub-**
31 **section (4) of this section are satisfied by the end of the biennium.**

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 **SECTION 2. This 2020 special session Act being necessary for the immediate preservation**
2 **of the public peace, health and safety, an emergency is declared to exist, and this 2020 special**
3 **session Act takes effect on its passage.**

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