

Enrolled
House Bill 2593

Sponsored by Representatives WILLIAMS, KROPF, LEWIS; Representatives ALONSO LEON, CATE, DEXTER, EVANS, GOMBERG, GRAYBER, HELM, LEIF, NERON, PRUSAK, RUIZ, SCHOUTEN, SMITH DB, WILDE, WITT (Pre-session filed.)

CHAPTER

AN ACT

Relating to funding for search and rescue; and prescribing an effective date.

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

SECTION 1. (1) The Office of Emergency Management may enter into an agreement with a nonprofit organization representing sheriffs in the State of Oregon under which the organization is authorized to establish and administer a program to produce and sell outdoor recreation search and rescue cards via authorized sellers.

(2) The purpose of the card program is to allow members of the public to make voluntary contributions to search and rescue efforts in Oregon by purchasing cards and making voluntary donations.

(3) An agreement under this section must meet the requirements set forth in section 2 of this 2021 Act.

(4) If the office enters into an agreement under this section, the office shall submit a report to the standing or interim committees of the Legislative Assembly relating to emergency services, on or before December 31 of each year, that describes the administration and effectiveness of the card program.

(5) Purchase of a card does not exempt a purchaser from liability for reimbursement under ORS 404.270.

(6) As used in this section and section 2 of this 2021 Act:

(a) "Authorized seller" means a state, local or federal agency or private entity that agrees to make cards available for purchase.

(b) "Card" means an outdoor recreation search and rescue card.

SECTION 2. An agreement between the Office of Emergency Management and a nonprofit organization under section 1 of this 2021 Act must provide for all of the following:

(1) The organization must design and produce cards to be sold to members of the public.

(2) The organization may hold itself out as operating the card program under the direction and oversight of the office and the State of Oregon.

(3) The organization must make annual and multiyear cards available. Multiyear cards must expire no later than five years after issuance.

(4) The organization may, at its discretion, make available family cards in addition to individual cards.

(5) The organization must establish a retail price for each type of card available, not to exceed:

- (a) \$10 for an annual individual card;
 - (b) \$25 for an annual family card;
 - (c) \$50 for a multiyear individual card; and
 - (d) \$125 for a multiyear family card.
- (6) The organization may coordinate with authorized sellers to make the cards available for purchase, in person or online.
- (7) The organization must establish a fee that an authorized seller may retain for each sale of a card. The fee may not exceed five percent of the retail price of the card.
- (8) The organization must establish a system for collecting revenues from card sales from authorized sellers, less any fees retained by the authorized sellers.
- (9)(a) The organization must create a separate account for purposes of the card program. The organization must deposit revenues from card sales in the account. The organization must deposit interest earned by the account in the account.
- (b) The organization may solicit and accept gifts, grants or donations from public or private sources for deposit in the account, either directly or through authorized sellers. If an authorized seller accepts a gift, grant or donation on behalf of the organization, the organization may not permit the authorized seller to charge or retain any fee related to the gift, grant or donation.
- (10) The organization must expend moneys in the account described in subsection (9) of this section exclusively for the following purposes:
- (a) To reimburse county sheriffs' offices for search and rescue expenses as described in subsection (11) of this section;
 - (b) To issue grants to county sheriffs' offices for search and rescue purposes as described in subsection (12) of this section; and
 - (c) To reimburse administrative costs and expenses incurred by the organization in performing its duties under the agreement, except that the aggregate amount of such reimbursements may not exceed 10 percent of the aggregate revenues from card sales collected by the organization over the course of the card program.
- (11)(a) The organization may reimburse county sheriffs' offices for costs incurred in the performance of the sheriffs' responsibility for search and rescue activities under ORS 404.110, including costs, if any, associated with volunteer search and rescue activities.
- (b) The organization must establish a methodology for receiving, evaluating and prioritizing claims for reimbursement from county sheriffs' offices.
- (12)(a) The organization may issue grants to county sheriffs' offices for search and rescue purposes. The organization must permit county sheriffs' offices to apply for grants on behalf of volunteer search and rescue organizations.
- (b) Grants must carry the following conditions:
- (A) Grant moneys must be used exclusively for equipment, training and educational outreach related to search and rescue;
 - (B) Grant moneys must be expended within one year after the moneys are disbursed to the recipient; and
 - (C) Recipients must report to the organization no later than 90 days after the date that grant moneys are fully expended, or 15 months after the moneys are disbursed to the recipient, whichever is earlier. The report must describe the equipment, training or educational outreach for which the grant moneys were used.
- (c) The organization must establish a methodology for equitably distributing grant moneys among applicants, taking into consideration:
- (A) Additional resources available to the applicant;
 - (B) The volume and nature of search and rescue activities that take place in the applicant's county; and
 - (C) Geographical equity.

(13) The organization must report to the Office of Emergency Management once per quarter. The report must include a detailed accounting of revenues and expenditures related to the agreement.

SECTION 3. This 2021 Act takes effect on the 91st day after the date on which the 2021 regular session of the Eighty-first Legislative Assembly adjourns sine die.

Passed by House June 16, 2021

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate June 22, 2021

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Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2021

Approved:

.....M,....., 2021

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2021

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Shemia Fagan, Secretary of State