

**A-Engrossed**  
**House Bill 3043**

Ordered by the House March 5  
Including House Amendments dated March 5

Sponsored by Representative HOLVEY

**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.

*[Changes alternative amount from \$300 to 23 times minimum wage in effect in Metro for determination of earnings disregard for purposes of unemployment insurance benefits.]*

*[Creates alternative maximum amount of 23 times minimum wage in effect in Metro that individual may receive in part-time remuneration and still be deemed "unemployed" for purposes of unemployment insurance benefits.]*

**Provides that, during statutorily declared emergency, Governor may authorize Director of Department of Revenue to disclose certain information set forth in tax report or return to Director of Employment Department if Director of Department of Revenue determines that administration of any federal or state law or program requires disclosure to enable Employment Department to verify identity or income level of any person for purposes related to emergency or any consequences of emergency.**

**Ratifies disclosures made by Director of Department of Revenue in compliance with identical provision enacted by section 1, chapter 2, Oregon Laws 2020 (second special session), on or after date of sunset of section 1, chapter 2, Oregon Laws 2020 (second special session), and before effective date of this Act.**

Declares emergency, effective on passage.

**A BILL FOR AN ACT**

1  
2 Relating to unemployment insurance benefits; creating new provisions; amending ORS 401.175; and  
3 declaring an emergency.

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

5 **SECTION 1.** ORS 401.175, as amended by sections 1 and 2, chapter 2, Oregon Laws 2020 (second  
6 special session), is amended to read:

7 401.175. During the existence of an emergency, the Governor may:

8 (1) Assume complete control of all emergency operations in the area specified in a proclamation  
9 of a state of emergency issued under ORS 401.165, direct all rescue and salvage work and do all  
10 things deemed advisable and necessary to alleviate the immediate conditions.

11 (2) Assume control of all police and law enforcement activities in such area, including the ac-  
12 tivities of all local police and peace officers.

13 (3) Close all roads and highways in such area to traffic or by order of the Governor limit the  
14 travel on such roads to such extent as the Governor deems necessary and expedient.

15 (4) Designate persons to coordinate the work of public and private relief agencies operating in  
16 such area and exclude from such area any person or agency refusing to cooperate with and work  
17 under such coordinator or to cooperate with other agencies engaged in emergency work.

18 (5) Require the aid and assistance of any state or other public or quasi-public agencies in the  
19 performance of duties and work attendant upon the emergency conditions in such area.

20 **(6) Authorize the Director of the Department of Revenue to disclose and give access to**

**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 information described in ORS 314.835 to the Director of the Employment Department if the  
2 Director of the Department of Revenue determines that the administration of any federal  
3 or state law or program requires the disclosure of the information to enable the Employment  
4 Department to verify the identity or income level of any person for purposes related to the  
5 emergency or any consequences of the emergency. The information that may be disclosed  
6 under this subsection shall be limited to information that is necessary to verify a person's  
7 identity or income level. The Director of the Employment Department shall maintain the  
8 confidentiality of the information during and after the state of emergency.

9 **SECTION 2.** ORS 401.175, as amended by sections 1 and 2, chapter 2, Oregon Laws 2020 (second  
10 special session), and section 1 of this 2021 Act, is amended to read:

11 401.175. During the existence of an emergency, the Governor may:

12 (1) Assume complete control of all emergency operations in the area specified in a proclamation  
13 of a state of emergency issued under ORS 401.165, direct all rescue and salvage work and do all  
14 things deemed advisable and necessary to alleviate the immediate conditions.

15 (2) Assume control of all police and law enforcement activities in such area, including the ac-  
16 tivities of all local police and peace officers.

17 (3) Close all roads and highways in such area to traffic or by order of the Governor limit the  
18 travel on such roads to such extent as the Governor deems necessary and expedient.

19 (4) Designate persons to coordinate the work of public and private relief agencies operating in  
20 such area and exclude from such area any person or agency refusing to cooperate with and work  
21 under such coordinator or to cooperate with other agencies engaged in emergency work.

22 (5) Require the aid and assistance of any state or other public or quasi-public agencies in the  
23 performance of duties and work attendant upon the emergency conditions in such area.

24 *[(6) Authorize the Director of the Department of Revenue to disclose and give access to information*  
25 *described in ORS 314.835 to the Director of the Employment Department if the Director of the De-*  
26 *partment of Revenue determines that the administration of any federal or state law or program requires*  
27 *the disclosure of the information to enable the Employment Department to verify the identity or income*  
28 *level of any person for purposes related to the emergency or any consequences of the emergency. The*  
29 *information that may be disclosed under this subsection shall be limited to information that is neces-*  
30 *sary to verify a person's identity or income level. The Director of the Employment Department shall*  
31 *maintain the confidentiality of the information during and after the state of emergency.]*

32 **SECTION 3.** The amendments to ORS 401.175 by section 2 of this 2021 Act become oper-  
33 ative on the date on which the declaration of a state of emergency related to COVID-19 is-  
34 sued by the Governor on March 8, 2020, and any extension of the declaration of emergency,  
35 is no longer in effect.

36 **SECTION 4.** Notwithstanding the operative date set forth in section 3 of this 2021 Act,  
37 authority granted under ORS 401.175 (6) to the Director of the Department of Revenue before  
38 the operative date set forth in section 3 of this 2021 Act to disclose and give access to in-  
39 formation shall continue until the earliest of:

40 (1) The date that is 90 days following the latest date of expiration of any temporary fed-  
41 eral program that is related to COVID-19 and administered by the Employment Department  
42 to provide unemployment benefits based on self-employment or similar earnings for which  
43 information may be disclosed to the Director of the Employment Department under ORS  
44 401.175 (6);

45 (2) December 31, 2022; or

1           **(3) The date on which the Governor revokes the grant of authority.**

2           **SECTION 5. Notwithstanding section 3, chapter 2, Oregon Laws 2020 (second special**  
3 **session), disclosures made by the Director of the Department of Revenue after February 28,**  
4 **2021, and before the effective date of this 2021 Act, that are in compliance with ORS 401.175**  
5 **as in effect on February 28, 2021, are hereby ratified to the extent of the compliance.**

6           **SECTION 6. This 2021 Act being necessary for the immediate preservation of the public**  
7 **peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect**  
8 **on its passage.**

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