

# Enrolled House Bill 3043

Sponsored by Representative HOLVEY; Representative HAYDEN

CHAPTER .....

AN ACT

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) December 31, 2022; or

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

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

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

**Passed by House March 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 April 5, 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