

# Senate Bill 365

Sponsored by Senator BOQUIST (Pre-session filed.)

## 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**.

Caps salary of state employees in executive, judicial and legislative branches hired on or after effective date of Act.

Prohibits departments of state government from contracting with person to provide services to state if individual providing services is paid over certain amount.

Directs executive department, judicial department and legislative department to report on savings realized as result of Act to Legislative Fiscal Officer. Directs Legislative Fiscal Officer to recommend to Joint Committee on Ways and Means that savings be transferred to Public Employees Retirement Fund to be applied against liabilities of Public Employees Retirement System.

## A BILL FOR AN ACT

1  
2 Relating to caps on payment of persons who interact with state government.

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

4 **SECTION 1. (1) As used in this section, "executive department" has the meaning given**  
5 **that term in ORS 174.112.**

6 **(2)(a) Except as provided in paragraph (b) of this subsection, an employee of the execu-**  
7 **tive department hired on or after the effective date of this 2021 Act may not be paid an**  
8 **amount in any calendar year that exceeds the annual salary paid during that year to the**  
9 **Governor under ORS 292.930.**

10 **(b) Paragraph (a) of this subsection does not apply to amounts paid for overtime.**

11 **(3) An agency in the executive department may not contract with a person to provide**  
12 **services to the department if any individual directly providing services to the department**  
13 **under the contract is paid an amount in the calendar year during which the individual pro-**  
14 **vides services that exceeds the annual salary paid during that year to the Governor under**  
15 **ORS 292.930.**

16 **SECTION 2. (1) As used in this section, "judicial department" has the meaning given that**  
17 **term in ORS 174.113.**

18 **(2)(a) Except as provided in paragraph (b) of this subsection, an employee of the judicial**  
19 **department hired on or after the effective date of this 2021 Act may not be paid an amount**  
20 **in any calendar year that exceeds the annual salary paid during that year to the Chief Jus-**  
21 **tice of the Supreme Court under ORS 292.411.**

22 **(b) Paragraph (a) of this subsection does not apply to amounts paid for overtime.**

23 **(3) The judicial department may not contract with a person to provide services to the**  
24 **department if any individual directly providing services to the department under the contract**  
25 **is paid an amount in the calendar year during which the individual provides services that**  
26 **exceeds the annual salary paid during that year to the Chief Justice under ORS 292.411.**

27 **SECTION 3. (1) As used in this section, "legislative department" has the meaning given**  
28 **that term in ORS 174.114.**

**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       **(2)(a) Except as provided in paragraph (b) of this subsection, an employee of the legisla-**  
 2 **tive department hired on or after the effective date of this 2021 Act may not be paid an**  
 3 **amount in any calendar year that exceeds the total annual salary paid during that year to**  
 4 **the President of the Senate and the Speaker of the House of Representatives under ORS**  
 5 **171.072.**

6       **(b) Paragraph (a) of this subsection does not apply to amounts paid for overtime.**

7       **(3) The legislative department may not contract with a person to provide services to the**  
 8 **department if any individual directly providing services to the department under the contract**  
 9 **is paid an amount in the calendar year during which the individual provides services that**  
 10 **exceeds the total annual salary paid during that year to the President of the Senate and the**  
 11 **Speaker of the House of Representatives under ORS 171.072.**

12       **SECTION 4.** **(1) On January 1 of each year, the executive department, the judicial de-**  
 13 **partment and the legislative department shall report to the Legislative Fiscal Officer the**  
 14 **amount of savings realized in the previous calendar year as a result of the provisions of**  
 15 **sections 1 to 3 of this 2021 Act.**

16       **(2) In the next regular session of the Legislative Assembly after the executive depart-**  
 17 **ment, the judicial department and the legislative department make the reports required by**  
 18 **subsection (1) of this section, the Legislative Fiscal Officer shall recommend to the Joint**  
 19 **Committee on Ways and Means that the amount of the savings reported be transferred to**  
 20 **the Public Employees Retirement Fund to be applied against the liabilities of the Public**  
 21 **Employees Retirement System.**

22       **SECTION 5.** **The executive department, the judicial department and the legislative de-**  
 23 **partment shall make the first reports required under section 4 of this 2021 Act no later than**  
 24 **January 1, 2023, for the calendar year 2022.**

25       **SECTION 6.** **Sections 1 to 3 of this 2021 Act apply to contracts to provide services to the**  
 26 **state entered into or renewed on or after the effective date of this 2021 Act.**

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