

# B-Engrossed Senate Bill 58

Ordered by the Senate June 21  
Including Senate Amendments dated March 1 and June 21

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor Kate Brown for Department of Environmental Quality)

## 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.

Authorizes Department of Environmental Quality to add fee to credit card transactions.

Allows department to establish and collect surcharge on invoices generated by environmental data management system. Appropriates surcharge moneys to department for maintenance and operation of system.

*[Becomes operative on January 1, 2022.]*

*[Declares emergency, effective on passage.]*

## A BILL FOR AN ACT

1  
2 Relating to charges imposed by the Department of Environmental Quality.

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

4 **SECTION 1. Sections 2 and 3 of this 2021 Act are added to and made a part of ORS**  
5 **chapter 468.**

6 **SECTION 2. The Department of Environmental Quality may accept payments by credit**  
7 **card for any products or services offered by the department. The department may add a fee**  
8 **to the amount of any payment made by credit card in an amount reasonably calculated to**  
9 **offset the impact to the department of financial institution fees related to credit card**  
10 **transactions.**

11 **SECTION 3. (1) The Department of Environmental Quality may impose a surcharge of**  
12 **four percent on each fee or invoice generated using the environmental data management**  
13 **system.**

14 **(2) Notwithstanding the surcharge percentage rate described in subsection (1) of this**  
15 **section, the department shall reduce the surcharge percentage rate below four percent for**  
16 **a biennium if the department determines that the reduced surcharge percentage rate will**  
17 **be sufficient to defray the costs to the department of licensing and hosting the environ-**  
18 **mental data management system during the biennium. If the department determines that a**  
19 **reduced surcharge percentage rate will be sufficient, the department shall issue an order on**  
20 **or before January 1 of the odd-numbered year setting forth the reduced surcharge percent-**  
21 **age rate for the following biennium. If the department reduces the surcharge percentage rate**  
22 **under this subsection, the surcharge percentage rate shall revert to four percent after the**  
23 **end of the biennium, unless the department issues an additional order as provided in this**  
24 **subsection.**

25 **(3) If the department reduces the surcharge percentage rate as described in subsection**

**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) of this section, the department shall notify all persons with an active account within the  
2 environmental data management system of the reduced surcharge percentage rate.

3 (4) Surcharge moneys collected by the department under this section shall be included  
4 in the fee or invoice payment associated with the surcharge and initially deposited into the  
5 same fund or account as the fee or invoice payment associated with the surcharge. The de-  
6 partment shall periodically transfer all surcharge moneys from the funds or accounts into  
7 which surcharge moneys were initially deposited to the Environmental Data Management  
8 System Fund established under section 4 of this 2021 Act.

9 SECTION 4. The Environmental Data Management System Fund is established in the  
10 State Treasury, separate and distinct from the General Fund. The Environmental Data  
11 Management System Fund consists of moneys deposited in the fund under section 3 of this  
12 2021 Act and may include moneys appropriated, allocated, deposited or transferred to the  
13 fund by the Legislative Assembly or otherwise. Moneys in the Environmental Data Manage-  
14 ment System Fund are continuously appropriated to the Department of Environmental  
15 Quality for the maintenance and operations costs associated with the department's environ-  
16 mental data management system.

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