

Senate Bill 1550

Sponsored by Senator JAMA (Presession 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**.

Transfers Office of Immigrant and Refugee Advancement from office of Governor to Department of Human Services.

Becomes operative 91 days after effective date of Act.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to the Office of Immigrant and Refugee Advancement; creating new provisions; amending
3 ORS 185.650; and declaring an emergency.

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

TRANSFER

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8 **SECTION 1. The duties, functions and powers of the office of the Governor relating to**
9 **the Office of Immigrant and Refugee Advancement are imposed upon, transferred to and**
10 **vested in the Department of Human Services.**

RECORDS, PROPERTY, EMPLOYEES

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14 **SECTION 2. (1) The office of the Governor shall:**

15 **(a) Deliver to the Department of Human Services all records and property within the**
16 **jurisdiction of the office of the Governor that relate to the duties, functions and powers**
17 **transferred by section 1 of this 2022 Act; and**

18 **(b) Transfer to the Department of Human Services those employees engaged primarily**
19 **in the exercise of the duties, functions and powers transferred by section 1 of this 2022 Act.**

20 **(2) The Department of Human Services shall take possession of the records and property,**
21 **and shall take charge of the employees and employ them in the exercise of the duties, func-**
22 **tions and powers transferred by section 1 of this 2022 Act, without reduction of compensation**
23 **but subject to change or termination of employment or compensation as provided by law.**

24 **(3) The Governor shall resolve any dispute between the office of the Governor and the**
25 **Department of Human Services relating to transfers of records, property and employees**
26 **under this section, and the Governor's decision is final.**

UNEXPENDED REVENUES

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30 **SECTION 3. (1) The unexpended balances of amounts authorized to be expended by the**

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 office of the Governor for the biennium ending June 30, 2023, from revenues dedicated, con-
 2 tinuously appropriated, appropriated or otherwise made available for the purpose of admin-
 3 istering and enforcing the duties, functions and powers transferred by section 1 of this 2022
 4 Act are transferred to and are available for expenditure by the Department of Human Ser-
 5 vices for the biennium ending June 30, 2023, for the purpose of administering and enforcing
 6 the duties, functions and powers transferred by section 1 of this 2022 Act.

7 (2) The expenditure classifications, if any, established by Acts authorizing or limiting
 8 expenditures by the office of the Governor remain applicable to expenditures by the Depart-
 9 ment of Human Services under this section.

10 ACTION, PROCEEDING, PROSECUTION

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 13 **SECTION 4.** The transfer of duties, functions and powers to the Department of Human
 14 Services by section 1 of this 2022 Act does not affect any action, proceeding or prosecution
 15 involving or with respect to the duties, functions and powers begun before and pending at
 16 the time of the transfer, except that the Department of Human Services is substituted for
 17 the office of the Governor in the action, proceeding or prosecution.

18 LIABILITY, DUTY, OBLIGATION

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 21 **SECTION 5.** (1) Nothing in sections 1 to 7 of this 2022 Act relieves a person of a liability,
 22 duty or obligation accruing under or with respect to the duties, functions and powers
 23 transferred by section 1 of this 2022 Act. The Department of Human Services may undertake
 24 the collection or enforcement of any such liability, duty or obligation.

25 (2) The rights and obligations of the office of the Governor legally incurred under con-
 26 tracts, leases and business transactions executed, entered into or begun before the operative
 27 date of section 1 of this 2022 Act accruing under or with respect to the duties, functions and
 28 powers transferred by section 1 of this 2022 Act are transferred to the Department of Human
 29 Services. For the purpose of succession to these rights and obligations, the Department of
 30 Human Services is a continuation of the office of the Governor and not a new authority.

31 RULES

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 34 **SECTION 6.** Notwithstanding the transfer of duties, functions and powers by section 1
 35 of this 2022 Act, the rules of the office of the Governor with respect to such duties, functions
 36 or powers that are in effect on the operative date of section 1 of this 2022 Act continue in
 37 effect until superseded or repealed by rules of the Department of Human Services. Refer-
 38 ences in the rules of the office of the Governor to the office of the Governor or an officer
 39 or employee of the office of the Governor are considered to be references to the Department
 40 of Human Services or an officer or employee of the Department of Human Services.

41 **SECTION 7.** Whenever, in any uncodified law or resolution of the Legislative Assembly
 42 or in any rule, document, record or proceeding authorized by the Legislative Assembly, in
 43 the context of the duties, functions and powers transferred by section 1 of this 2022 Act,
 44 reference is made to the office of the Governor, or an officer or employee of the office of the
 45 Governor, whose duties, functions or powers are transferred by section 1 of this 2022 Act,

1 **the reference is considered to be a reference to the Department of Human Services or an**
 2 **officer or employee of the Department of Human Services who by this 2022 Act is charged**
 3 **with carrying out the duties, functions and powers.**

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 5 **CONFORMING AMENDMENTS**
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7 **SECTION 8.** ORS 185.650 is amended to read:

8 185.650. (1) There is established within the [*office of the Governor*] **Department of Human**
 9 **Services** the Office of Immigrant and Refugee Advancement for the purpose of operating a statewide
 10 immigrant and refugee integration strategy.

11 (2) The Office of Immigrant and Refugee Advancement is under the supervision and control of
 12 a director, who is responsible for the performance of the duties, functions and powers of the office.
 13 The director shall be chosen through an open hiring process. In addition to the director, the office
 14 shall include at least the following full-time staff members:

- 15 (a) One staff member who focuses on community partnerships;
- 16 (b) One staff member who focuses on data collection and research; and
- 17 (c) One staff member who focuses on administrative support for the office.

18 (3) The office shall:

19 (a) Advocate for and partner with statewide immigrant and refugee programs and services that
 20 coordinate with long-term support services to meet the needs of immigrant and refugee populations
 21 in this state;

22 (b) Collect data on immigrant and refugee populations in this state for the purposes of deter-
 23 mining the needs of the populations and tracking progress in reducing social, economic and health
 24 disparities for the populations;

25 (c) Monitor and protect data collected under this subsection and ensure that any data collected
 26 and maintained by the office is not disclosed to any person or entity not affiliated with the office;

27 (d) Track state legislation that impacts immigrant and refugee populations in this state;

28 (e) Ensure that any racial and ethnic impact statements for legislation accurately include the
 29 impact to immigrants and refugees in this state who are individuals who are Black, indigenous or
 30 other people of color;

31 (f) Advocate for resources from the federal government to support the immigrant and refugee
 32 populations;

33 (g) Monitor and, unless prohibited by federal or state law or rule, publish any investments made
 34 by the state for the benefit and support of the immigrant and refugee populations;

35 (h) Partner with other state agencies as needed to meet the objectives of the office;

36 (i) Partner with community-based organizations as needed to meet the objectives of the office;
 37 and

38 (j) Adopt rules as necessary to carry out this section.

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 40 **UNIT CAPTIONS**
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42 **SECTION 9.** The unit captions used in this 2022 Act are provided only for the convenience
 43 of the reader and do not become part of the statutory law of this state or express any leg-
 44 islative intent in the enactment of this 2022 Act.
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OPERATIVE AND EFFECTIVE DATES

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SECTION 10. (1) Sections 1 to 7 of this 2022 Act and the amendments to ORS 185.650 by section 8 of this 2022 Act become operative 91 days after the effective date of this 2022 Act.

(2) The office of the Governor and the Department of Human Services may take any action before the operative date specified in subsection (1) of this section that is necessary for the Department of Human Services to exercise, on and after the operative date specified in subsection (1) of this section, all of the duties, functions and powers conferred on the Department of Human Services by sections 1 to 7 of this 2022 Act and the amendments to ORS 185.650 by section 8 of this 2022 Act.

SECTION 11. This 2022 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2022 Act takes effect on its passage.
