

# A-Engrossed Senate Bill 1566

Ordered by the Senate February 24  
Including Senate Amendments dated February 24

Sponsored by Senators PROZANSKI, LAWRENCE SPENCE, LIEBER, JAMA, MANNING JR, Representatives BYNUM, HUDSON, RUIZ, SMITH G; Senators DEMBROW, FREDERICK, GELSER BLOUIN, HEARD, TAYLOR, Representatives ALONSO LEON, PHAM, VALDERRAMA (at the request of Asian Pacific American Network of Oregon (APANO), Family Forward Oregon) (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.

Establishes annual salary of members of Legislative Assembly equal to annual [*occupational mean wage estimate for*] **average wage for all covered employment in Oregon** for prior year. Directs that salary of members of Legislative Assembly be adjusted to conform to annual [*occupational mean wage estimate*] **average wage for all covered employment** only once every two years.

Applies cost-of-living adjustment to monthly interim expense allowance received by members. Authorizes **reimbursement for child care expenses** [*child care allowance*] for members who have children or dependents under 13 years of age. **Caps monthly amount of reimbursement and limits reimbursement to specified months during which regular sessions of Legislative Assembly occur.**

Applies to pay periods beginning on or after January 1, 2023.  
Takes effect on 91st day following adjournment sine die.

## A BILL FOR AN ACT

1  
2 Relating to legislator compensation; creating new provisions; amending ORS 171.072; and prescribing  
3 an effective date.

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

5 **SECTION 1.** ORS 171.072 is amended to read:

6 171.072. (1)(a) A member of the Legislative Assembly shall receive for services an annual salary  
7 that equals [*one step below the maximum step of Salary Range 1 in the Management Service Com-*  
8 *penetration Plan in the executive department as defined in ORS 174.112.*] **the annual average wage**  
9 **for all covered employment in Oregon, as published for the prior calendar year by the Em-**  
10 **ployment Department.**

11 **(b) The adjustment to annual salary described in paragraph (a) of this subsection shall**  
12 **be made only once every two years and shall be applied to pay periods beginning July 1 fol-**  
13 **lowing the determination of the annual average wage for all covered employment in Oregon.**

14 **(c) Notwithstanding paragraph (a) or (b) of this subsection, the amount a member of the**  
15 **Legislative Assembly receives for services may not be decreased by more than two percent**  
16 **from the annual salary the member received in the prior calendar year.**

17 (2) The President of the Senate and the Speaker of the House of Representatives each shall re-  
18 ceive for services, as additional salary, an amount equal to the salary allowed each of them as a  
19 member under subsection (1) of this section.

20 (3) A member of the Legislative Assembly shall receive, as an allowance for expenses not oth-  
21 erwise provided for, a per diem determined as provided in subsection (9) of this section for each day

**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 within the period that the Legislative Assembly is in session, to be paid with the salary provided for  
2 in subsection (1) of this section. Pursuant to procedures determined by the Legislative Adminis-  
3 tration Committee, a member may draw from an accrued allowance.

4 (4) A member of the Legislative Assembly shall receive, as an allowance for expenses incurred  
5 in the performance of official duties during periods when the legislature is not in session, \$400 for  
6 each calendar month or part of a calendar month during those periods, to be paid monthly, and  
7 subject to approval of the President of the Senate or Speaker of the House of Representatives,  
8 mileage expenses and a per diem determined as provided in subsection (9) of this section for each  
9 day a member is engaged in the business of legislative interim and statutory committees, including  
10 advisory committees and subcommittees of advisory committees, and task forces and for each day  
11 a member serves on interstate bodies, advisory committees and other entities on which the member  
12 serves ex officio, whether or not the entity is a legislative one.

13 (5) In addition to the mileage and per diem expense payments provided by this section, a member  
14 of the Legislative Assembly may receive reimbursement for actual and necessary expenses, subject  
15 to approval by the President of the Senate or Speaker of the House of Representatives, for legisla-  
16 tive business outside of the state.

17 (6) The President of the Senate and the Speaker of the House of Representatives may delegate  
18 to the chairpersons of interim and statutory committees and task forces the approval authority  
19 granted to the President and the Speaker by subsection (4) of this section, with respect to expenses  
20 incurred in attending any meeting of a particular committee or task force.

21 (7) Amounts received under subsections (3) to (5) of this section are excluded from gross income  
22 and expenditures of the amounts are excluded in computing deductions for purposes of ORS chapter  
23 316. If there is attached to the personal income return a schedule of all ordinary and necessary  
24 business expenses paid during the tax year as a member of the Legislative Assembly, a deduction  
25 may be claimed on the return for legislative expenses paid in excess of the amounts received under  
26 subsections (3) to (5) of this section. Expenses of members of the Legislative Assembly who are re-  
27 imburged by the state for actual expenses for meals and lodging associated with state travel for the  
28 same period during which a legislator receives per diem are subject to state income tax.

29 (8) For periods when the Legislative Assembly is not in session, a member of the Legislative  
30 Assembly shall receive an expense allowance that is in addition to the amount allowed under sub-  
31 section (4) of this section. The amount allocated to a member under this subsection must be adjusted  
32 based on the geographic area of the member's district to reflect travel expenses necessary to com-  
33 municate in the district.

34 (9) The per diem allowance referred to in subsections (3) and (4) of this section shall be the  
35 amount fixed for per diem allowance that is authorized by the United States Internal Revenue Ser-  
36 vice to be excluded from gross income without itemization.

37 **(10) A member of the Legislative Assembly who has one or more children or dependents**  
38 **under 13 years of age as of the first day of a month shall receive a reimbursement for child**  
39 **care expenses of up to \$1,000, without regard to the number of children or dependents under**  
40 **13 years of age that the member has, for each of the following months:**

41 **(a) January through June of an odd-numbered year; and**

42 **(b) January through March of an even-numbered year.**

43 **(11)(a) The interim expense allowance described in subsection (4) of this section shall be**  
44 **adjusted each July 1 by a cost-of-living adjustment equal to the percentage by which the**  
45 **monthly averaged U.S. City Average Consumer Price Index for the preceding calendar year**

1 exceeds the monthly averaged U.S. City Average Consumer Price Index for the 2021 calendar  
2 year.

3 (b) As used in this subsection, “U.S. City Average Consumer Price Index” means the U.S.  
4 City Average Consumer Price Index for All Urban Consumers (All Items) as published by the  
5 Bureau of Labor Statistics of the United States Department of Labor.

6 SECTION 2. The amendments to ORS 171.072 by section 1 of this 2022 Act apply to pay  
7 periods under ORS 171.072 beginning on or after January 1, 2023.

8 SECTION 3. Notwithstanding ORS 171.072, as amended by section 1 of this 2022 Act:

9 (1) For pay periods beginning on or after January 1, 2023, and before July 1, 2023, the  
10 adjustment to annual salary described in ORS 171.072 (1)(a) shall be based on the annual av-  
11 erage wage for all covered employment in Oregon as determined for the 2021 calendar year;  
12 and

13 (2) The annual salary shall be adjusted again for pay periods beginning on or after July  
14 1, 2023, and before July 1, 2025, so as to be based on the annual average wage for all covered  
15 employment in Oregon as determined for the 2022 calendar year.

16 SECTION 4. This 2022 Act takes effect on the 91st day after the date on which the 2022  
17 regular session of the Eighty-first Legislative Assembly adjourns sine die.

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