

# DRAFT

## SUMMARY

Digest: The Act funds cultural groups in Oregon. (Flesch Readability Score: 66.7).

Appropriates moneys to the Oregon Business Development Department to distribute to Oregon cultural organizations in response to the negative impact of the COVID-19 pandemic on organization finances.

Declares an emergency, effective on passage.

## A BILL FOR AN ACT

Relating to funding for Oregon cultural organizations; and declaring an emergency.

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

**SECTION 1. There is appropriated to the Oregon Business Development Department, for the biennium ending June 30, 2025, out of the General Fund, the amount of \$27,414,113.59 for the purpose of carrying out the provisions of sections 2 and 3 of this 2024 Act.**

**SECTION 2. After withholding \$150,000 from the moneys appropriated under section 1 of this 2024 Act for its costs in administering this section and section 3 of this 2024 Act, the Oregon Business Development Department shall distribute \$13,799,040 as follows:**

**(1) \$5,918,747 to:**

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## MAJOR VENUES.

Name of venue	Grant Amount
High Desert Museum .....	\$ 379,750

**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	Oregon Ballet Theatre .....	\$	341,775
2	Oregon Shakespeare Festival....	\$	2,555,175
3	Oregon Symphony .....	\$	949,375
4	Portland Art Museum.....	\$	743,298
5	Portland Center Stage .....	\$	474,687
6	Portland Opera.....	\$	474,687

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8 (2) \$7,880,293 to:

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**CULTURAL RESOURCES ECONOMIC FUND VENUES.**

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12	Name of venue	Grant Amount
13	Black United Fund.....	\$ 900,000
14	Clatsop County Historical .....	
15	Society .....	\$ 1,000,000
16	Columbia County Museum .....	
17	Association.....	\$ 400,000
18	High Desert Museum .....	\$ 2,000,000
19	Friends of Oregon Caves.....	
20	and Chateau .....	\$ 455,690
21	Josephine County Library .....	
22	Foundation .....	\$ 424,603
23	Painted Sky Center for .....	
24	the Arts .....	\$ 500,000
25	PAM CUT//Center for an .....	
26	Untold Tomorrow.....	\$ 250,000
27	Portland Institute for .....	
28	Contemporary Art.....	\$ 150,000
29	Portland Playhouse .....	\$ 300,000
30	Rainier Oregon Historical .....	
31	Museum.....	\$ 500,000

Salem Parks Foundation.....	\$	150,000
Southern Oregon Historical.....		
Society .....	\$	500,000
Very Little Theatre.....	\$	350,000

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**SECTION 3. (1) As used in this section:**

**(a)(A) “Earned revenue” means revenue from the sale of goods or services, including, but not limited to, membership, admission tickets, rentals, exhibitions, merchandise, food and beverages, advertising and contracted services and performances.**

**(B) “Earned revenue” does not include donations, federal, state or local governmental grants, or returns on investments.**

**(b) “Oregon cultural organization” means a public or private entity, whether operated for profit or as a nonprofit organization, that:**

**(A) Has its business headquarters, and operates primarily, in this state;**

**(B) Operates primarily for the purpose of producing, promoting or presenting the arts, culture, humanities, heritage or live cultural entertainment, other than adult entertainment, to the public; and**

**(C)(i) Operates as a public facility, performing arts organization, museum, historical site, visual arts organization, county fairgrounds, cultural entity within a federally recognized Indian tribe based in Oregon or community event organization; or**

**(ii) Produces cultural projects or programs for the public.**

**(2) The Oregon Business Development Department shall use \$13,465,073.59 of the moneys appropriated under section 1 of this 2024 Act to develop and implement a program for awarding grants directly to Oregon cultural organizations.**

**(3) To be eligible for a grant, an Oregon cultural organization must demonstrate to the department’s satisfaction that, at any time during fiscal year 2020 through fiscal year 2023, the organization experienced**

1 a significant loss in earned revenue because of statewide mandates,  
2 or guidance of the Oregon Health Authority, in response to the  
3 COVID-19 pandemic.

4 (4)(a) The department shall prescribe the form and process by which  
5 Oregon cultural organizations may apply for and be awarded grants  
6 under the program.

7 (b) The department may require applicants to demonstrate need,  
8 as described in subsection (6) of this section, in the form of:

9 (A) The organization's federal tax returns for the periods to which  
10 the application relates; or

11 (B) Financial documentation, including, but not limited to, audited  
12 financial statements or financial statements that have been approved  
13 by a certified public accountant.

14 (5) The department may consult with the Trust for Cultural Devel-  
15 opment Board in reviewing applications and awarding grants.

16 (6) The department shall develop an equitable funding allocation so  
17 that grant moneys shall be awarded, subject to subsections (7) and (8)  
18 of this section, with priority given to applicants who have experienced  
19 the greatest proportional loss, as measured by the ratio of an  
20 applicant's total lost earned revenue to the applicant's total earned  
21 revenue for each fiscal year, beginning with fiscal year 2019, to which  
22 the application relates.

23 (7) Subject to subsection (8) of this section, the department shall  
24 develop award allocation options that take into account an equitable  
25 percentage of an applicant's fiscal size and lost earned revenue and  
26 available funding.

27 (8) Under consultation with the Trust for Cultural Development  
28 Board, the department shall award grant moneys proportionately  
29 among the geographic regions of this state, as defined by the depart-  
30 ment, based on the relative population of, and the number of eligible  
31 applications received from Oregon cultural organizations located in,

each region. Regions may be defined according to the service areas of cultural coalitions operating under the auspices of the board and grant moneys may be distributed through the cultural coalitions.

(9) Before awarding grants, the department may withhold an amount, not to exceed five percent of the total amount appropriated under section 1 of this 2024 Act, to reimburse the department for the actual costs of developing and implementing the program.

(10) Notwithstanding any other provision of law, this section shall apply to any grant moneys that the department awards to an Oregon cultural organization on or after the effective date of this 2024 Act in response to the negative impact of the COVID-19 pandemic on the organization's earned revenue.

(11) Any venue that received a grant under section 254, chapter 605, Oregon Laws 2023, is not eligible to receive a grant under this section.

**SECTION 4.** (1) Section 3 of this 2024 Act becomes operative on January 1, 2025.

(2) The Oregon Business Development Department may take any action before the operative date specified in subsection (1) of this section that is necessary for the department to exercise, on and after the operative date specified in subsection (1) of this section, all of the powers, duties and functions conferred on the department under section 3 of this 2024 Act.

**SECTION 5.** This 2024 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2024 Act takes effect on its passage.