

A-Engrossed
House Bill 2911

Ordered by the House March 23
Including House Amendments dated March 23

Sponsored by Representatives GOMBERG, OWENS, SMITH G, MARSH, NOSSE; Representatives RESCHKE, WALTERS (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.

Allocates moneys to Oregon Business Development Department to develop and implement program to award grants to [*Oregon cultural organizations and support businesses*] **county fair operators** in response to negative impact of COVID-19 pandemic on [*organizations' and businesses'*] **county fair operators'** earned revenue.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to pandemic relief for Oregon cultural organizations; and declaring an emergency.

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

4 **SECTION 1. There is allocated for the biennium beginning July 1, 2023, from the Admin-**
5 **istrative Services Economic Development Fund, to the Oregon Business Development De-**
6 **partment, the amount of \$10,000,000, for deposit in the Oregon Business, Innovation and**
7 **Trade Fund created under ORS 285A.227, to be used for the purpose of awarding grants under**
8 **section 2 of this 2023 Act.**

9 **SECTION 2. (1) As used in this section:**

10 (a) **"County fair" and "county fairgrounds" have the meanings given those terms in ORS**
11 **565.010.**

12 (b) **"County fair operator" means a county fair board, fair association or fair district that**
13 **operates a county fair.**

14 (c)(A) **"Earned revenue" means revenue from the sale of goods or services, including, but**
15 **not limited to, admission tickets, charges for services, rentals, permits and fees, merchan-**
16 **dise, food and beverages, advertising and contracted services and performances.**

17 (B) **"Earned revenue" does not include other sources of revenue, including, but not lim-**
18 **ited to, donations, federal, state and local governmental grants or returns on investments.**

19 (d) **"Fair association" has the meaning given that term in ORS 565.268.**

20 (e) **"Fair district" means an entity described in ORS 565.275.**

21 (2) **The Oregon Business Development Department shall develop and implement a pro-**
22 **gram for awarding grants directly to county fair operators for the operation of county fairs**
23 **and the maintenance and repair of county fairgrounds.**

24 (3) **To be eligible for a grant, a county fair operator must demonstrate to the**
25 **department's satisfaction that, at any time after February 29, 2020, and before June 30, 2023,**
26 **the operator experienced a significant loss in earned revenue from the operation of a county**

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 fair or county fairgrounds because of statewide mandates, or guidance of the Oregon Health
2 Authority, in response to the COVID-19 pandemic.

3 (4)(a) The department shall prescribe the form and process, including the application
4 period, by which county fair operators may apply for and be awarded grants under the pro-
5 gram.

6 (b) Applications must, at a minimum, require applicants to state their lost earned re-
7 venue as described in subsection (3) of this section.

8 (c) For purposes of reviewing applications, the department may require applicants to
9 provide:

10 (A) The applicant's federal tax return for the periods to which the application relates;
11 and

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

14 (5) The department shall award grants to reimburse county fair operators for lost earned
15 revenue supported by their applications as follows:

16 (a) If the total of all grant award amounts exceeds \$10 million, the amounts shall be re-
17 duced proportionally until they equal \$10 million; or

18 (b) If the total of all grant award amounts is less than \$10 million, the amounts shall be
19 increased proportionally until they equal \$10 million.

20 (6) Before awarding grants, the department may withhold an amount not to exceed three
21 percent of the total amount allocated under section 1 of this 2023 Act to reimburse the de-
22 partment for the actual costs of developing and implementing the program.

23 **SECTION 3.** This 2023 Act being necessary for the immediate preservation of the public
24 peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect
25 on its passage.