

A-Engrossed House Bill 5029

Ordered by the House June 21
Including House Amendments dated June 21

Introduced and printed pursuant to House Concurrent Resolution 23 (2023) (at the request of Oregon Department of Administrative Services)

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.

Maintains and reserves lottery revenues available to benefit public purposes during biennium beginning July 1, 2023, in Administrative Services Economic Development Fund. Allocates moneys from fund for biennium beginning July 1, 2023.

Directs Oregon Department of Administrative Services to establish process for quarterly allocations of moneys from Administrative Services Economic Development Fund and Veterans' Services Fund.

Allocates moneys from Veterans' Services Fund for biennium beginning July 1, 2023.

Directs distribution of moneys from Criminal Fine Account.

Directs distribution of moneys from Oregon Marijuana Account.

Directs distribution of moneys from Fund for Student Success.

Allocates moneys from Polychlorinated Biphenyls Remediation and Restitution Account for specified purposes.

Requires Oregon Department of Administrative Services to transfer certain amounts from Tobacco Settlement Funds Account for certain purposes.

Declares emergency, effective July 1, 2023.

A BILL FOR AN ACT

Relating to state financial administration; and declaring an emergency.

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

SECTION 1. During the biennium beginning July 1, 2023, all lottery revenues available to benefit the public purposes specified in Article XV, section 4, of the Oregon Constitution, that are in excess of distributions or allocations required by law shall be maintained in the Administrative Services Economic Development Fund.

SECTION 2. All moneys in the Administrative Services Economic Development Fund as of July 1, 2023, and thereafter are reserved to meet the commitments of sections 1 to 13 of this 2023 Act.

SECTION 3. The following amounts are allocated for the biennium beginning July 1, 2023, from the Administrative Services Economic Development Fund, to the Oregon Business Development Department, for the following purposes:

(1) Operations..... \$ 15,248,370

(2) Business, innovation
and trade..... \$ 75,400,115

(3) Infrastructure..... \$ 18,570,779

(4) Oregon Film and Video Office .. \$ 1,479,463

SECTION 4. There is allocated for the biennium beginning July 1, 2023, from the Administrative Services Economic Development Fund, to the Department of Education, for the

Note: For budget, see 2023-2025 Biennial Budget

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 State School Fund, the amount of \$604,125,973.

2 **SECTION 5.** There is allocated for the biennium beginning July 1, 2023, from the Admin-
3 istrative Services Economic Development Fund, to the office of the Governor, the amount
4 of \$4,639,197 for expenses of the Regional Solutions Program.

5 **SECTION 6.** (1) The Oregon Department of Administrative Services shall establish a
6 process for allocating available moneys in the Administrative Services Economic Develop-
7 ment Fund on a quarterly basis to fulfill the biennial allocations made by sections 1 to 13 of
8 this 2023 Act. The department shall set the quarterly allocations.

9 (2) If, in any quarter, the moneys transferred from the State Lottery Fund to the Ad-
10 ministrative Services Economic Development Fund are insufficient to pay for the quarterly
11 allocations made by sections 1 to 13 of this 2023 Act or any other 2023 Act, prior to making
12 any other allocations pursuant to sections 1 to 13 of this 2023 Act, the department shall
13 satisfy lottery bond debt service obligations in the amount of \$342,481,317 for outstanding
14 lottery bonds.

15 (3) After the lottery bond debt service obligations described in subsection (2) of this
16 section are satisfied, if the remaining moneys transferred from the State Lottery Fund to
17 the Administrative Services Economic Development Fund are insufficient to pay for the
18 quarterly allocations made by sections 1 to 13 of this 2023 Act, the department shall reduce
19 the quarterly allocations not described in subsection (2) of this section proportionately in
20 amounts sufficient to accommodate the revenue shortfall.

21 **SECTION 7.** There is allocated for the biennium beginning July 1, 2023, from the Admin-
22 istrative Services Economic Development Fund, to the Oregon Department of Administrative
23 Services, the amount of \$342,481,317 for the purpose of paying, when due, the principal, in-
24 terest and premium, if any, on outstanding lottery bonds, as described in section 6 of this
25 2023 Act.

26 **SECTION 8.** Notwithstanding and in lieu of the requirement in ORS 461.547 (1) for a
27 percentage-based transfer of moneys, for the biennium beginning July 1, 2023, the amount
28 allocated from the Administrative Services Economic Development Fund to the Oregon De-
29 partment of Administrative Services for distribution to counties for economic development
30 activities as provided by ORS 461.547 is \$59,982,296.

31 **SECTION 9.** Notwithstanding and in lieu of the requirement in ORS 461.549 (2) for a
32 percentage-based transfer of moneys, for the biennium beginning July 1, 2023, the amount
33 allocated from the Administrative Services Economic Development Fund to the Problem
34 Gambling Treatment Fund is \$18,329,825.

35 **SECTION 10.** Notwithstanding and in lieu of the requirement in ORS 565.447 for a
36 percentage-based transfer of moneys, for the biennium beginning July 1, 2023, the amount
37 allocated from the Administrative Services Economic Development Fund to the County Fair
38 Account established in ORS 565.445 is \$3,828,000.

39 **SECTION 11.** Notwithstanding and in lieu of the allocation described in section 2 (3),
40 chapter 2, Oregon Laws 2017 (Ballot Measure 99 (2016)), for a percentage-based transfer of
41 moneys with an annual cap, for the biennium beginning July 1, 2023, the amount allocated
42 from the Administrative Services Economic Development Fund to the Outdoor School Edu-
43 cation Fund is \$56,406,064.

44 **SECTION 12.** Notwithstanding and in lieu of the requirement in ORS 461.543 (4) for a
45 percentage-based transfer of moneys, for the biennium beginning July 1, 2023, the amount

1 allocated from the Administrative Services Economic Development Fund to the Sports Lot-
2 tery Account is \$18,329,943.

3 **SECTION 13.** Notwithstanding and in lieu of the allocation described in section 44, chap-
4 ter 355, Oregon Laws 2019, as amended by section 1, chapter 10, Oregon Laws 2021, for the
5 biennium beginning July 1, 2023, the amount allocated from the Administrative Services
6 Economic Development Fund to the Employer Incentive Fund is \$28,186,388.

7 **SECTION 14.** There are allocated for the biennium beginning July 1, 2023, from the
8 Veterans’ Services Fund, to the Veterans’ Department of Veterans’ Affairs Dedicated Lot-
9 tery Fund, the following amounts for the following purposes:

- 10 (1) Veterans’ Services Program \$ 14,192,356
- 11 (2) County Veterans’ Service
- 12 Officers \$ 7,788,605
- 13 (3) National Service
- 14 Organizations \$ 541,693

15 **SECTION 15.** There is allocated for the biennium beginning July 1, 2023, from the
16 Veterans’ Services Fund, to the Bureau of Labor and Industries, the amount of \$297,187 for
17 veterans’ employment apprenticeship outreach and coordination.

18 **SECTION 16.** There is allocated for the biennium beginning July 1, 2023, from the
19 Veterans’ Services Fund, to the Oregon Criminal Justice Commission, the amount of \$603,177
20 for veterans’ specialty courts.

21 **SECTION 17.** There are allocated for the biennium beginning July 1, 2023, from the
22 Veterans’ Services Fund, to the Oregon Health Authority, the following amounts for the
23 following purposes:

- 24 (1) Veterans’ behavioral
- 25 health services \$ 2,233,850
- 26 (2) Veterans’ dental program \$ 2,730,796

27 **NOTE:** Section 18 was deleted by amendment. Subsequent sections were not renumbered.

28 **SECTION 19.** (1) The Oregon Department of Administrative Services shall establish a
29 process for allocating available moneys in the Veterans’ Services Fund on a quarterly basis
30 to fulfill the biennial allocations made by sections 14 to 17 of this 2023 Act.

31 (2) If the moneys transferred from the State Lottery Fund to the Veterans’ Services
32 Fund are insufficient to pay for the quarterly allocations under subsection (1) of this section,
33 the department shall reduce the quarterly allocations proportionately in amounts sufficient
34 to accommodate the revenue shortfall.

35 **SECTION 20.** Notwithstanding ORS 137.300, for the biennium beginning July 1, 2023, the
36 Department of Revenue shall distribute the moneys in the Criminal Fine Account established
37 by ORS 137.300 as specified in sections 21 to 25 of this 2023 Act.

38 **SECTION 21.** There are allocated to the Department of Public Safety Standards and
39 Training for the biennium beginning July 1, 2023, from the Criminal Fine Account, the fol-
40 lowing amounts for the following purposes:

- 41 (1) Criminal justice training
- 42 and standards operations \$ 51,667,438
- 43 (2) Public Safety Memorial Fund ... \$ 279,677

44 **SECTION 22.** There are allocated to the Department of Justice for the biennium begin-
45 ning July 1, 2023, from the Criminal Fine Account, the following amounts for the following

1 **purposes:**

- 2 (1) **Child Abuse Multidisciplinary**
- 3 **Intervention Account..... \$ 12,210,883**
- 4 (2) **Creation and operation of a**
- 5 **statewide system of regional**
- 6 **assessment centers as**
- 7 **provided under ORS 418.746**
- 8 **to 418.796..... \$ 920,490**
- 9 (3) **Criminal Injuries**
- 10 **Compensation Account \$ 10,272,994**
- 11 (4) **Services to children eligible**
- 12 **for compensation under**
- 13 **ORS 147.390 and costs to**
- 14 **administer provision of**
- 15 **these services \$ 779,144**

16 **SECTION 23.** There are allocated to the Department of Human Services for the biennium
17 **beginning July 1, 2023, from the Criminal Fine Account, the following amounts for the fol-**
18 **lowing purposes:**

- 19 (1) **Domestic Violence Fund**
- 20 **established in ORS 409.300**
- 21 **for the purpose of**
- 22 **ORS 409.292 (1)(a) to (c)..... \$ 2,668,697**
- 23 (2) **Sexual Assault Victims Fund.... \$ 605,216**

24 **SECTION 24.** There are allocated to the State Court Facilities and Security Account es-
25 **tablished under ORS 1.178, for the biennium beginning July 1, 2023, from the Criminal Fine**
26 **Account, the following amounts for the following purposes:**

- 27 (1) **State court security**
- 28 **and emergency preparedness.... \$ 4,493,981**
- 29 (2) **Distributions to county court**
- 30 **facilities security accounts..... \$ 3,326,651**

31 **SECTION 25.** (1) There is allocated to the Oregon Health Authority for the biennium be-
32 **ginning July 1, 2023, from the Criminal Fine Account, the amount of \$42,884 for the purpose**
33 **of grants under ORS 430.345 for the establishment, operation and maintenance of alcohol and**
34 **drug abuse prevention, early intervention and treatment services provided through a county.**

35 (2) There is allocated to the Law Enforcement Medical Liability Account established un-
36 **der ORS 414.815, for the biennium beginning July 1, 2023, from the Criminal Fine Account,**
37 **the amount of \$1,300,000.**

38 (3) There is allocated to the Oregon State Police for the biennium beginning July 1, 2023,
39 **from the Criminal Fine Account, the amount of \$351,572 for the purpose of enforcing the laws**
40 **relating to driving under the influence of intoxicants.**

41 (4) There is allocated to the Department of Corrections for the biennium beginning July
42 **1, 2023, from the Criminal Fine Account, the amount of \$5,197,236 for the purpose of plan-**
43 **ning, operating and maintaining county juvenile and adult corrections programs and facilities**
44 **and drug and alcohol programs. Notwithstanding ORS 137.300 (4), the grant to each county**
45 **shall be based on the formula used to determine the distribution of moneys under the**

1 Grant-in-Aid Program under ORS 423.530.

2 (5) There is allocated to the State Court Technology Fund established under ORS 1.012,
3 for the biennium beginning July 1, 2023, from the Criminal Fine Account, the amount of
4 \$3,887,500.

5 (6) There is allocated to the Intoxicated Driver Program Fund created under ORS 813.270,
6 for the biennium beginning July 1, 2023, from the Criminal Fine Account, the amount of
7 \$4,323,000.

8 (7) There is allocated to the Oregon Health Authority for the biennium beginning July
9 1, 2023, from the Criminal Fine Account, the amount of \$331,824 for the Emergency Medical
10 Services and Trauma Systems Program created under ORS 431A.085.

11 (8) There is allocated to the Department of Revenue for the biennium beginning July 1,
12 2023, from the Criminal Fine Account, the amount of \$100,000 for administrative costs of the
13 department.

14 SECTION 26. After distributing the amounts specified in sections 21 to 25 of this 2023
15 Act, the Department of Revenue shall distribute funds remaining in the Criminal Fine Ac-
16 count to the General Fund.

17 SECTION 27. (1) There is allocated to the State School Fund established under ORS
18 327.008, for the biennium beginning July 1, 2023, from the Oregon Marijuana Account, the
19 amount of \$40,750,659.

20 (2) There is allocated to the Oregon Health Authority, for mental health treatment or for
21 purposes related to alcohol and drug abuse prevention, early intervention and treatment
22 services, for the biennium beginning July 1, 2023, from the Oregon Marijuana Account, the
23 amount of \$20,375,329.

24 (3) There is allocated to the Oregon Health Authority, for the health systems division,
25 for the biennium beginning July 1, 2023, from the Oregon Marijuana Account, the amount
26 of \$5,093,832 for purposes related to alcohol and drug abuse prevention, early intervention
27 and treatment services.

28 (4) There is allocated to the Oregon Health Authority, for the biennium beginning July
29 1, 2023, from the Oregon Marijuana Account, the amount of \$196,609,572, for deposit into the
30 Drug Treatment and Recovery Services Fund.

31 (5) There is allocated to the State Police Account established under ORS 181A.020, for the
32 biennium beginning July 1, 2023, from the Oregon Marijuana Account, the amount of
33 \$15,281,497.

34 SECTION 28. Notwithstanding and in lieu of the percentage-based transfers of moneys
35 described in ORS 327.001 (4)(c), for the biennium beginning July 1, 2023, the Department of
36 Education shall distribute the moneys in the Fund for Student Success established by ORS
37 327.001 as follows:

38 (1) \$1,087,178,997 to the Student Investment Account established in ORS 327.175;

39 (2) \$557,396,445 to the Statewide Education Initiatives Account established in ORS 327.250;
40 and

41 (3) \$529,782,552 to the Early Learning Account established in ORS 327.269.

42 SECTION 29. There is allocated for the biennium beginning July 1, 2023, from the
43 Polychlorinated Biphenyls Remediation and Restitution Account established by section 43,
44 chapter __, Oregon Laws 2023 (Enrolled Senate Bill 1049), the amount of \$18,763,236 to the
45 Department of State Lands for deposit into the Oregon Abandoned and Derelict Vessel Fund

1 established by section 3, chapter __, Oregon Laws 2023 (Enrolled House Bill 2914), for envi-
2 ronmental remediation or restitutionary projects.

3 **SECTION 30.** In addition to transfers to the Tobacco Enforcement Fund under ORS
4 293.537, the Oregon Department of Administrative Services shall make the following trans-
5 fers from the Tobacco Settlement Funds Account for the biennium beginning July 1, 2023:

- 6 (1) To the Oregon Health
7 and Science University
8 Bond Fund established under
9 section 14, chapter 921,
10 Oregon Laws 2001 \$ 7,328,750
- 11 (2) To the Oregon Health
12 Authority for expenses of
13 the Oregon Health Plan \$121,658,558
- 14 (3) To the Oregon Health
15 Authority for community
16 mental health programs \$ 14,182,108
- 17 (4) To the Department of
18 Education for physical
19 education related grants
20 authorized by ORS 329.501 \$ 3,659,334
- 21 (5) To the Department of
22 Justice for enforcement
23 activities authorized by
24 ORS 293.537 \$ 1,573,000

25 **SECTION 31.** This 2023 Act being necessary for the immediate preservation of the public
26 peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect
27 July 1, 2023.