

A-Engrossed
House Bill 5046

Ordered by the House April 18
Including House Amendments dated April 18

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.

[Appropriates moneys from General Fund to ____ for biennial expenses.]
[Limits biennial expenditures from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by ____.]
[Limits biennial expenditures of ____ from federal funds.]
Authorizes expenditures for obligations incurred by state agencies on or after July 1, 2023, that do not exceed specified levels.
Appropriates moneys for expenditures.
Authorizes payments for debt service, certificates of participation and other financing agreements during period commencing July 1, 2023.
Authorizes specific expenditures for Department of Human Services and Oregon Health Authority.
Applies to any state agency for which no budget has become law on or before July 1, 2023.
Sunsets September 15, 2023.
Declares emergency, effective July 1, 2023.

A BILL FOR AN ACT

1
2 Relating to state financial administration; and declaring an emergency.

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

4 **SECTION 1. As used in sections 1 to 4 of this 2023 Act, "state agency" means every state**
5 **officer, board, commission, department, institution, branch or agency of the state govern-**
6 **ment, the costs of which are paid wholly or in part from funds held in the State Treasury.**

7 **SECTION 2. (1) Notwithstanding ORS 291.232 to 291.260, and subject to section 5 of this**
8 **2023 Act and any rule that may be adopted by the Oregon Department of Administrative**
9 **Services, any obligations incurred by a state agency on or after July 1, 2023, that do not ex-**
10 **ceed the level of expenditures authorized under ORS 291.232 to 291.260 or otherwise author-**
11 **ized for the last quarter of the 2021-2023 biennium are authorized, and necessary funds are**
12 **appropriated therefor, unless the Oregon Department of Administrative Services determines**
13 **that the state agency's expenditure level should be modified, based on pending legislation.**

14 **(2) The Oregon Department of Administrative Services by rule shall specify the means**
15 **whereby funds expended pursuant to subsection (1) of this section or section 5 of this 2023**
16 **Act are reconciled and charged to the state agency's 2023-2025 legislatively approved budget**
17 **during the 2023-2025 biennium.**

18 **(3) All payments for debt service, certificates of participation and other financing agree-**
19 **ments are hereby authorized during the period commencing July 1, 2023.**

20 **SECTION 3. Sections 1 to 5 of this 2023 Act apply to a state agency for which no budget**

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 has become law on or before July 1, 2023.

2 **SECTION 4.** (1)(a) If there is no 2023-2025 legislatively adopted budget upon final
3 adjournment of the regular session of the Eighty-second Legislative Assembly against which
4 any expenditure authorized by section 2 (1) or 5 of this 2023 Act can be applied, the expend-
5 iture shall be considered to have been made from funds appropriated to the Oregon Depart-
6 ment of Administrative Services.

7 (b) For the purpose of paying the incurred expenses of state agencies, there is appropri-
8 ated to the Oregon Department of Administrative Services any cash or other funds remain-
9 ing in the accounts of the state agency for which no budget has been adopted and for which
10 no expenditure authority exists when the Legislative Assembly adjourns sine die.

11 (c) The Oregon Department of Administrative Services may apply for reimbursement
12 from the Emergency Board of any expenditure made under this subsection during the
13 2023-2025 biennium.

14 (2)(a) If, after final adjournment of the regular session of the Eighty-second Legislative
15 Assembly, the Governor vetoes a legislatively adopted budget against which any expenditure
16 authorized by section 2 (1) or 5 of this 2023 Act can be applied, the expenditure shall be
17 considered to have been made from funds appropriated to the Oregon Department of Ad-
18 ministrative Services.

19 (b) For the purpose of paying the incurred expenses of state agencies, there is appropri-
20 ated to the Oregon Department of Administrative Services any cash or other funds remain-
21 ing in the accounts of the state agency for which a legislatively adopted budget has been
22 vetoed and for which no expenditure authority exists when the Governor vetoes the budget.

23 (c) The Oregon Department of Administrative Services may apply for reimbursement
24 from the Emergency Board of any expenditure made under this subsection during the
25 2023-2025 biennium.

26 **SECTION 5.** (1) Notwithstanding ORS 291.232 to 291.260 and section 2 of this 2023 Act, and
27 subject to any rule that may be adopted by the Oregon Department of Administrative Ser-
28 vices, any obligations incurred by the Department of Human Services on or after July 1, 2023,
29 that do not exceed the level of expenditures authorized under ORS 291.232 to 291.260 or oth-
30 erwise authorized for the sixth quarter of the 2021-2023 biennium are authorized, and neces-
31 sary funds are appropriated therefor, unless the Oregon Department of Administrative
32 Services determines that the expenditure level for the Department of Human Services should
33 be modified, based on pending legislation.

34 (2) Notwithstanding ORS 291.232 to 291.260 and section 2 of this 2023 Act, and subject to
35 any rule that may be adopted by the Oregon Department of Administrative Services, any
36 obligations incurred by the Oregon Health Authority on or after July 1, 2023, that do not
37 exceed the level of expenditures authorized under ORS 291.232 to 291.260 or otherwise au-
38 thorized for the fourth quarter of the 2021-2023 biennium are authorized, and necessary funds
39 are appropriated therefor, unless the Oregon Department of Administrative Services deter-
40 mines that the expenditure level for the Oregon Health Authority should be modified, based
41 on pending legislation.

42 **SECTION 6.** Sections 1 to 5 of this 2023 Act are repealed on September 15, 2023.

43 **SECTION 7.** This 2023 Act being necessary for the immediate preservation of the public
44 peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect
45 July 1, 2023.

