HOUSE AMENDMENTS TO
HOUSE BILL 5046

By JOINT COMMITTEE ON WAYS AND MEANS

April 18

Delete lines 4 through 15 of the printed bill and insert:

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

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

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

"(3) All payments for debt service, certificates of participation and other financing agreements are hereby authorized during the period commencing July 1, 2023.

"SECTION 3. Sections 1 to 5 of this 2023 Act apply to a state agency for which no budget has become law on or before July 1, 2023.

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

"(b) For the purpose of paying the incurred expenses of state agencies, there is appropriated to the Oregon Department of Administrative Services any cash or other funds remaining in the accounts of the state agency for which no budget has been adopted and for which no expenditure authority exists when the Legislative Assembly adjourns sine die.

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

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

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

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

SECTION 5. (1) Notwithstanding ORS 291.232 to 291.260 and section 2 of this 2023 Act,
and subject to any rule that may be adopted by the Oregon Department of Administrative
Services, any obligations incurred by the Department of Human Services on or after July 1,
2023, that do not exceed the level of expenditures authorized under ORS 291.232 to 291.260
or otherwise authorized for the sixth quarter of the 2021-2023 biennium are authorized, and
necessary funds are appropriated therefor, unless the Oregon Department of Administrative
Services determines that the expenditure level for the Department of Human Services should
be modified, based on pending legislation.

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

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

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