

## SENATE AMENDMENTS TO SENATE BILL 31

By COMMITTEE ON LABOR AND BUSINESS

March 27

1 In line 2 of the printed bill, delete “prescribing an effective date” and insert “declaring an  
2 emergency”.

3 Delete lines 4 through 11 and insert:

4 **“SECTION 1. Section 2 of this 2023 Act is added to and made a part of ORS chapter 657B.**

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

6 **“(a) ‘Grant’ means a grant awarded under ORS 657B.200.**

7 **“(b) ‘Solvency of the fund’ and ‘solvent’ mean that the cumulative amount of contribu-**  
8 **tions collected under the provisions of this chapter and deposited in the fund are sufficient**  
9 **to pay, in full and in a timely manner, the benefits anticipated to be claimed by covered in-**  
10 **dividuals under ORS 657B.090, grants awarded under ORS 657B.200 and any costs and ex-**  
11 **penses associated with processing payments of the benefits and grant awards.**

12 **“(2) Notwithstanding any other provision under this chapter:**

13 **“(a) No later than August 11, 2023, the Director of the Employment Department shall**  
14 **determine whether the fund is solvent with respect to the benefits anticipated to be claimed**  
15 **and any grant moneys anticipated to be awarded on or after September 3, 2023.**

16 **“(b) If, pursuant to paragraph (a) of this subsection, the director determines that the**  
17 **fund is:**

18 **“(A) Solvent, the director shall commence paying benefits and any grant awards on Sep-**  
19 **tember 3, 2023.**

20 **“(B) Insolvent, the director shall delay the start of benefit payments and grant awards**  
21 **until December 3, 2023, and make further quarterly determinations of the solvency of the**  
22 **fund under subsection (3) of this section.**

23 **“(3) Notwithstanding any other provision of this chapter:**

24 **“(a)(A) If, pursuant to subsection (2) of this section, the director determines that the**  
25 **fund is insolvent, the director shall, on a quarterly basis, determine whether the fund is**  
26 **solvent with respect to the benefits anticipated to be claimed and any grants anticipated to**  
27 **be awarded beginning with the first week of the last month of the current calendar quarter.**

28 **“(B) Each quarterly determination shall be made no later than two weeks immediately**  
29 **following the date on which the combined quarterly reports are due under ORS 657B.150 (12).**

30 **“(b) If, pursuant to paragraph (a) of this subsection, the director determines that the**  
31 **fund is:**

32 **“(A) Solvent, the director shall commence paying benefits and any grant awards in ac-**  
33 **cordance with paragraph (c) of this subsection.**

34 **“(B) Insolvent, the director shall continue making quarterly determinations of the**  
35 **solvency of the fund, as provided under paragraph (a) of this subsection, until the fund is**

1 **determined to be solvent.**

2 **“(c) The director shall commence benefit payments and grant awards under this sub-**  
3 **section beginning with the first week of the last month of the current calendar quarter or**  
4 **30 days following the notice provided to employers and covered individuals under subsection**  
5 **(4) of this section regarding the commencement of benefits or grants, whichever is later.**

6 **“(4) The director shall provide at least 30 days’ advance notice to employers and covered**  
7 **individuals before commencing benefit payments or grants under subsection (3) of this sec-**  
8 **tion.**

9 **“SECTION 3. Section 2 of this 2023 Act is repealed on September 3, 2026.**

10 **“SECTION 4. This 2023 Act being necessary for the immediate preservation of the public**  
11 **peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect**  
12 **on its passage.”**

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