

Requested by SENATE COMMITTEE ON LABOR AND BUSINESS

**PROPOSED AMENDMENTS TO  
SENATE BILL 31**

1 In line 2 of the printed bill, delete “prescribing an effective date” and  
2 insert “declaring an 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**  
5 **of ORS chapter 657B.**

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

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

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

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

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

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

1       “(A) Solvent, the director shall commence paying benefits and any  
2 grant awards on September 3, 2023.

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

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

8       “(a)(A) If, pursuant to subsection (2) of this section, the director  
9 determines that the fund is insolvent, the director shall, on a quar-  
10 terly basis, determine whether the fund is solvent with respect to the  
11 benefits anticipated to be claimed and any grants anticipated to be  
12 awarded beginning with the first week of the last month of the current  
13 calendar quarter.

14       “(B) Each quarterly determination shall be made no later than two  
15 weeks immediately following the date on which the combined quar-  
16 terly reports are due under ORS 657B.150 (12).

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

19       “(A) Solvent, the director shall commence paying benefits and any  
20 grant awards in accordance with paragraph (c) of this subsection.

21       “(B) Insolvent, the director shall continue making quarterly deter-  
22 minations of the solvency of the fund, as provided under paragraph (a)  
23 of this subsection, until the fund is determined to be solvent.

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

30       “(4) The director shall provide at least 30 days’ advance notice to

1 employers and covered individuals before commencing benefit pay-  
2 ments or grants under this section.

3 **“SECTION 3. Section 2 of this 2023 Act is repealed on September 3,  
4 2026.**

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

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