

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 subsection (3) of 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.”.**

8

---