

HB 5046-1  
(LC 9046)  
4/5/23 (DFY/ps)

Requested by JOINT COMMITTEE ON WAYS AND MEANS

**PROPOSED AMENDMENTS TO  
HOUSE BILL 5046**

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

2 **“SECTION 1. As used in sections 1 to 4 of this 2023 Act, ‘state**  
3 **agency’ means every state officer, board, commission, department,**  
4 **institution, branch or agency of the state government, the costs of**  
5 **which are paid wholly or in part from funds held in the State Treas-**  
6 **ury.**

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

17 **“(2) The Oregon Department of Administrative Services by rule**  
18 **shall specify the means whereby funds expended pursuant to sub-**  
19 **section (1) of this section or section 5 of this 2023 Act are reconciled**  
20 **and charged to the state agency’s 2023-2025 legislatively approved**  
21 **budget during the 2023-2025 biennium.**

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

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

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

12       **“(b) For the purpose of paying the incurred expenses of state**  
13 **agencies, there is appropriated to the Oregon Department of Admin-**  
14 **istrative Services any cash or other funds remaining in the accounts**  
15 **of the state agency for which no budget has been adopted and for**  
16 **which no expenditure authority exists when the Legislative Assembly**  
17 **adjourns sine die.**

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

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

27       **“(b) For the purpose of paying the incurred expenses of state**  
28 **agencies, there is appropriated to the Oregon Department of Admin-**  
29 **istrative Services any cash or other funds remaining in the accounts**  
30 **of the state agency for which a legislatively adopted budget has been**

1 vetoed and for which no expenditure authority exists when the Gov-  
2 ernor vetoes the budget.

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

6 **“SECTION 5. (1) Notwithstanding ORS 291.232 to 291.260 and section**  
7 **2 of this 2023 Act, and subject to any rule that may be adopted by the**  
8 **Oregon Department of Administrative Services, any obligations in-**  
9 **curring by the Department of Human Services on or after July 1, 2023,**  
10 **that do not exceed the level of expenditures authorized under ORS**  
11 **291.232 to 291.260 or otherwise authorized for the sixth quarter of the**  
12 **2021-2023 biennium are authorized, and necessary funds are appropri-**  
13 **ated therefor, unless the Oregon Department of Administrative Ser-**  
14 **vices determines that the expenditure level for the Department of**  
15 **Human Services should be modified, based on pending legislation.**

16 **“(2) Notwithstanding ORS 291.232 to 291.260 and section 2 of this 2023**  
17 **Act, and subject to any rule that may be adopted by the Oregon De-**  
18 **partment of Administrative Services, any obligations incurred by the**  
19 **Oregon Health Authority on or after July 1, 2023, that do not exceed**  
20 **the level of expenditures authorized under ORS 291.232 to 291.260 or**  
21 **otherwise authorized for the fourth quarter of the 2021-2023 biennium**  
22 **are authorized, and necessary funds are appropriated therefor, unless**  
23 **the Oregon Department of Administrative Services determines that**  
24 **the expenditure level for the Oregon Health Authority should be**  
25 **modified, based on pending legislation.**

26 **“SECTION 6. Sections 1 to 5 of this 2023 Act are repealed on Sep-**  
27 **tember 15, 2023.**

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

