

House Bill 3707

Sponsored by Representative EVANS

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act says that school districts may receive OSCIM grants only if their new buildings meet resiliency standards. (Flesch Readability Score: 61.6).

Provides that new construction in certain school districts must meet specified resiliency standards for the districts to be eligible to receive a matching grant under a certain grant program financed with the proceeds of Article XI-P bonds.

Directs the State Resilience Officer to convene an advisory committee to clarify responsibilities related to newly constructed large rooms that serve as emergency shelters.

A BILL FOR AN ACT

1
2 Relating to school capital construction; creating new provisions; and amending ORS 286A.801.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Section 2 of this 2025 Act is added to and made a part of ORS 286A.796 to**
5 **286A.806.**

6 **SECTION 2. A school district located in a high seismic risk area, as defined in section 4**
7 **of this 2025 Act, may not receive a grant under ORS 286A.801 for a new building, as defined**
8 **in section 4 of this 2025 Act, of the school district unless the school district complies with**
9 **the requirements of section 4 of this 2025 Act.**

10 **SECTION 3. ORS 286A.801 is amended to read:**

11 286A.801. (1) The Department of Education shall administer a grant program that is financed
12 with the net proceeds of Article XI-P bonds and that provides matching fund grants to school dis-
13 tricts for capital costs of the school districts. Any construction, improvement, remodel, equipment,
14 maintenance or repair of a building of a school district that is financed with a grant received under
15 this section is not required to meet the standards specified in ORS 286A.810.

16 (2) A school district that seeks a grant under this section must prepare and submit a facilities
17 assessment and a long-range facilities plan to the department with the application for the grant.

18 (3) A school district is eligible to receive a grant under this section if:

19 (a) The school district complies with the requirements of this section and rules adopted pursuant
20 to this section; *[and]*

21 (b) Moneys are available to the school district pursuant to subsection (6) of this section~~];~~ **and**

22 **(c) The school district complies with the requirements of section 4 of this 2025 Act if**
23 **required under section 2 of this 2025 Act.**

24 (4) A school district that receives a grant under this section must provide matching funds that
25 meet or exceed the amount of the grant. The matching funds must be from general obligation bonds
26 approved by the voters of the school district to finance capital costs of the school district.

27 (5) Grants awarded under this section shall be calculated as follows, subject to subsection (8)
28 of this section:

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

1 (a) For a school district that provides matching funds in any amount up to \$6 million, a match-
 2 ing ratio for state to local funds of one to one.

3 (b) For a school district that provides matching funds in any amount greater than \$6 million, a
 4 matching ratio for state to local funds that is based on the funding formula developed as provided
 5 in subsection (7)(c) of this section. Grants awarded under this paragraph shall be for a minimum of
 6 \$6 million per grant and a maximum of \$12 million per grant.

7 (6)(a) The department shall award grants to school districts as follows:

8 (A) Sixty-six percent of funds available for grants shall be based on the priority list established
 9 under subsection (7)(b) of this section; and

10 (B) Thirty-four percent of funds available for grants shall be provided to school districts based
 11 on the order in which the Department of Education receives the completed applications for the
 12 grants.

13 (b) To the extent that moneys are available, a school district that receives moneys as provided
 14 by paragraph (a)(A) of this subsection also may receive moneys as provided by paragraph (a)(B) of
 15 this subsection. The total amount the school district receives may not exceed the maximum amount
 16 allowed under subsection (5) of this section.

17 (7)(a) For the purpose of awarding grants under this section, the department shall develop a
 18 priority list and a funding formula that are based on factors that may include:

19 (A) The total assessed value of all tangible property located in the school district;

20 (B) The percentage of poverty families within the school district, as calculated under ORS
 21 327.013 (1)(c)(A)(v)(I);

22 (C) The number of students in average daily membership for the school district, as calculated
 23 under ORS 327.061; and

24 (D) Other factors adopted by the State Board of Education by rule.

25 (b) The priority list developed under this subsection shall be used to rank the order in which
 26 school districts may qualify to receive a grant under subsection (6)(a)(A) of this section.

27 (c) The funding formula developed under this subsection shall be used to determine the matching
 28 ratio for state to local funds. The funding formula must comply with the limits described in sub-
 29 section (5) of this section.

30 (8) To account for effects of inflation, the State Board of Education shall, by rule, biennially
 31 adjust the dollar amounts specified in subsection (5) of this section based on the Consumer Price
 32 Index for All Urban Consumers, West Region (All Items), as published by the Bureau of Labor Sta-
 33 tistics of the United States Department of Labor.

34 (9) The State Board of Education may adopt any rules necessary for the administration of this
 35 section.

36 **SECTION 4. (1) As used in this section:**

37 (a) **“High seismic risk area” means: Clatsop, Columbia, Tillamook, Washington,**
 38 **Multnomah, Yamhill, Clackamas, Polk, Marion, Lincoln, Benton, Linn, Lane, Douglas, Coos,**
 39 **Curry, Josephine, Jackson and Klamath Counties.**

40 (b) **“Large room” means a room of at least 2,500 square feet of gross area, except for**
 41 **general classrooms and rooms with fixed features such as auditoriums and laboratories.**

42 (c) **“New building” means a building for which a contract for construction is executed**
 43 **on or after January 1, 2026.**

44 (d) **“Risk Category IV” has the meaning given that term in the Oregon Structural Spe-**
 45 **cialty Code.**

1 (e) "Shelter room" means a large room in a new building.

2 (f) "Stub-out" means a short length of pipe that is installed during construction and to
3 which fixtures and drains may later be installed.

4 (2) In order to be eligible to receive a grant under ORS 286A.801, a school district located
5 in a high seismic risk area must ensure that the following standards are met:

6 (a) Structural systems in new buildings must be designed to Risk Category IV standards.

7 (b) Natural gas lines supplying new buildings must be installed with earthquake-actuated
8 automatic gas shutoff devices in accordance with current standards.

9 (c) Restrained pipe joints must be used for new water and sewer lines constructed within
10 the owner's property that are intended to serve new buildings.

11 (d) Shelter rooms must be supported by a built-in emergency electricity generator with
12 an automatic transfer switch that activates after an earthquake event and provides electrical
13 service to shelter rooms and any adjacent kitchens. The transfer switch must be capable of
14 being connected to solar photovoltaic power sources.

15 (e) Electrical wiring in new buildings must be designed to support shelter rooms in iso-
16 lation from other building spaces and must support ventilation, lighting and outlets in the
17 shelter rooms, plus equipment in any adjacent kitchens.

18 (f) New buildings must maintain an on-site fuel supply sufficient for at least 96 hours of
19 generator run time.

20 (g) New buildings must include at least one stub-out with a manual transfer valve at the
21 building exterior to allow for the connection of a temporary portable water source and pump
22 after an earthquake event or other disruption of utility service.

23 (h) Interior piping for potable water in new buildings must be designed to allow isolation
24 of water service to shelter rooms, including to any adjacent bathrooms, drinking fountains
25 and kitchens.

26 (i) Equipment and components that support shelter rooms must be designed to Risk
27 Category IV standards.

28 (3) The Department of Consumer and Business Services shall develop and implement a
29 program to monitor and certify compliance with this section. The department may adopt
30 rules necessary for the implementation of this section.

31 **SECTION 5.** (1) The State Resilience Officer shall convene an advisory committee that
32 includes representatives of the Department of Education, the Oregon Department of Emer-
33 gency Management, school districts in high seismic risk areas, local governments, the
34 American Red Cross and other stakeholders. The advisory committee shall recommend op-
35 erational leadership and management responsibilities relating to shelter rooms. The advisory
36 committee shall develop a model memorandum of understanding to be executed by school
37 districts and appropriate emergency agencies.

38 (2) Members of the advisory committee shall receive no compensation, but may receive
39 payment for their actual and necessary travel and other expenses while engaged in the per-
40 formance of their official duties.

41 (3) As used in this section, "high seismic risk area" and "shelter room" have the
42 meanings given those terms in section 4 of this 2025 Act.

43 **SECTION 6.** Section 5 of this 2025 Act is repealed on January 2, 2028.