

House Bill 4150

Sponsored by Representatives WISE, ANDERSEN, FRAGALA, CHAICHI; Representatives EVANS, GAMBA, GOMBERG, MCDONALD, MUÑOZ, NELSON, NGUYEN D, Senators BROADMAN, CAMPOS, FREDERICK, GELSER BLOUIN, JAMA, NERON MISSLIN, PHAM K, PROZANSKI (Presession filed.)

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 persons who contract with the state or get grants from the state must promise not to help transport people for deportation. (Flesch Readability Score: 69.7).

Directs state agencies to require prospective contractors, subcontractors and grant recipients to attest that they do not and will not transport individuals detained by federal agencies for the purpose of deportation, except in accordance with judicial orders. Provides that if the attestations are false or become false, contractors are disqualified from contracting with the state agency for a specified period, and grant recipients must repay the grant moneys to the state.

Declares an emergency, effective on passage.

1 A BILL FOR AN ACT

2 Relating to recipients of public funds; and declaring an emergency.

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

4 **SECTION 1.** (1) A state agency shall require every prospective contractor to submit the
5 attestation described in subsection (2) of this section as part of the prospective contractor's
6 bid or proposal. A state agency may not award a contract to a prospective contractor that
7 fails to submit the attestation, or if the state agency determines that the information sub-
8 mitted on the attestation is false.

9 (2) An attestation under this section must be in substantially the following form: "Con-
10 tractor is not now, and will not be for the duration of any contract with the State of Oregon,
11 under an agreement with any federal agency to provide transportation services for individ-
12 uals detained by the federal agency for the purpose of deportation from the United States,
13 except in accordance with an order of a federal court, not including administrative courts."

14 (3) If a state agency ultimately awards a contract to a prospective contractor, the con-
15 tract must include:

16 (a) A provision making the contract voidable, at the option of the state agency, if the
17 state agency determines that the information in the prospective contractor's attestation is
18 false or subsequently becomes false;

19 (b) A provision requiring the prospective contractor to include in any transportation
20 subcontracts a provision requiring an attestation from the subcontractor substantially sim-
21 ilar to that described in subsection (2) of this section; and

22 (c) A provision making the contract with the prospective contractor voidable, at the op-
23 tion of the state agency, if the state agency determines that the information in a
24 subcontractor's attestation is false or subsequently becomes false.

25 (4) If a state agency determines that the information in the attestation of a prospective
26 contractor, a contractor or a subcontractor engaged by a contractor is false or subsequently

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 **becomes false, the state agency shall disqualify the contractor or potential contractor from**
2 **contracting with the state agency for a period of three years from the time of the determi-**
3 **nation.**

4 **(5) As used in this section:**

5 **(a) "Contractor" means a person to whom a state agency has awarded a contract.**

6 **(b) "Prospective contractor" means any person who submits a bid or proposal for a con-**
7 **tract with a state agency.**

8 **(c) "State agency" means every state officer, board, commission, department, institution,**
9 **branch or agency of the state government whose costs are paid wholly or in part from funds**
10 **held in the State Treasury.**

11 **(d) "Transportation subcontract" means a subcontract for services involving the trans-**
12 **portation of humans.**

13 **SECTION 2. (1) A state agency that awards a grant to a recipient shall require the re-**
14 **cipient to execute an agreement as described in subsection (2) of this section as a condition**
15 **of receiving grant moneys.**

16 **(2) An agreement under this section must:**

17 **(a) Require the recipient to attest, before receiving grant moneys, that the recipient is**
18 **not and will not be under an agreement with any federal agency to provide transportation**
19 **services for individuals detained by the federal agency for the purpose of deportation from**
20 **the United States, except in accordance with an order of a federal court, not including ad-**
21 **ministrative courts; and**

22 **(b) Require the recipient to repay the grant moneys to the state agency if the state**
23 **agency determines that the attestation is false or subsequently becomes false.**

24 **(3) As used in this section:**

25 **(a) "Grant" means an award of moneys by a state agency to a person or entity other than**
26 **a public body, as defined in ORS 174.109, that is made under terms that do not require the**
27 **repayment of the moneys unless the recipient breaches specified obligations.**

28 **(b) "State agency" has the meaning given that term in section 1 of this 2026 Act.**

29 **SECTION 3. This 2026 Act being necessary for the immediate preservation of the public**
30 **peace, health and safety, an emergency is declared to exist, and this 2026 Act takes effect**
31 **on its passage.**

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