

Senate Bill 452

Sponsored by Senator GEORGE (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**.

Directs Public Employees Retirement Board to establish separate account in Public Employees Retirement Fund consisting of funds transferred from portion of ending balances of other funds accounts. Requires moneys in account to be applied to reduce employer contributions required of local governments and school districts.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to the Public Employees Retirement Fund; prescribing an effective date; and providing for
3 revenue raising that requires approval by a three-fifths majority.

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

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

6 (a) **"Other funds account" means a statutory fund or account that includes fees, moneys**
7 **or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal**
8 **funds, collected or received by a state agency that are dedicated or continuously appropriated**
9 **to the agency by statute for the uses and purposes of the agency.**

10 (b) **"State agency" has the meaning given that term in ORS 291.322.**

11 (2)(a) **The Public Employees Retirement Board shall establish a separate account within**
12 **the Public Employees Retirement Fund. The account shall consist of funds transferred to**
13 **the Public Employees Retirement Fund under subsection (3) of this section.**

14 (b) **Eighty percent of the moneys in the account established under this subsection shall**
15 **be applied to reduce the employer contributions required of participating public employers**
16 **that are local governments as defined in ORS 174.116, in the same manner as lump sum**
17 **payments are applied under ORS 238.229.**

18 (c) **Twenty percent of the moneys in the account established under this subsection shall**
19 **be applied to reduce the employer contributions required of participating public employers**
20 **that are school districts, in the same manner as lump sum payments are applied under ORS**
21 **238.229.**

22 (3) **Subject to subsections (4) and (5) of this section, on July 1 of each odd-numbered year,**
23 **or the next business day following adjournment sine die of the regular session of the Legis-**
24 **lative Assembly held in an odd-numbered year, whichever is later, each state agency admin-**
25 **istering an other funds account shall transfer from the ending balance of the account on**
26 **June 30 of the odd-numbered year, to the Public Employees Retirement Fund, an amount**
27 **equal to any difference between:**

28 (a) **The ending balance of the other funds account on June 30 of the odd-numbered year;**
29 **and**

30 (b) **1.5 percent of the amount the agency is authorized by the Legislative Assembly to**

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 spend from the other funds account for the biennium beginning on July 1 of the odd-
2 numbered year.

3 (4) Subsection (3) of this section applies only if the ending balance of the other funds
4 account on June 30 of the odd-numbered year is greater than 1.5 percent of the amount the
5 agency is authorized by the Legislative Assembly to spend from the other funds account for
6 the biennium beginning on July 1 of the odd-numbered year.

7 (5) Subsections (3) and (4) of this section do not apply to:

8 (a) Funds or accounts that receive moneys appropriated from the General Fund;

9 (b) Funds or accounts established by the Oregon Constitution or whose expenditures are
10 limited or otherwise directed by provisions of the Oregon Constitution;

11 (c) Federal funds or lottery funds deposited in any fund or account that includes dedi-
12 cated or continuously appropriated moneys; or

13 (d) Dedicated or continuously appropriated moneys in an other funds account that are
14 authorized by law to be expended without limitation.

15 **SECTION 2.** Notwithstanding section 1 (3) of this 2013 Act, a state agency as defined in
16 ORS 291.322 shall first transfer moneys to the Public Employees Retirement Fund under
17 section 1 of this 2013 Act not later than 30 business days after the effective date of this 2013
18 Act.

19 **SECTION 3.** This 2013 Act takes effect on the 91st day after the date on which the 2013
20 regular session of the Seventy-seventh Legislative Assembly adjourns sine die.

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