

**Enrolled**  
**Senate Bill 58**

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor Kate Brown for Department of Environmental Quality)

CHAPTER .....

AN ACT

Relating to charges imposed by the Department of Environmental Quality.

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

**SECTION 1. Sections 2 and 3 of this 2021 Act are added to and made a part of ORS chapter 468.**

**SECTION 2. The Department of Environmental Quality may accept payments by credit card for any products or services offered by the department. The department may add a fee to the amount of any payment made by credit card in an amount reasonably calculated to offset the impact to the department of financial institution fees related to credit card transactions.**

**SECTION 3. (1) The Department of Environmental Quality may impose a surcharge of four percent on each fee or invoice generated using the environmental data management system.**

**(2) Notwithstanding the surcharge percentage rate described in subsection (1) of this section, the department shall reduce the surcharge percentage rate below four percent for a biennium if the department determines that the reduced surcharge percentage rate will be sufficient to defray the costs to the department of licensing and hosting the environmental data management system during the biennium. If the department determines that a reduced surcharge percentage rate will be sufficient, the department shall issue an order on or before January 1 of the odd-numbered year setting forth the reduced surcharge percentage rate for the following biennium. If the department reduces the surcharge percentage rate under this subsection, the surcharge percentage rate shall revert to four percent after the end of the biennium, unless the department issues an additional order as provided in this subsection.**

**(3) If the department reduces the surcharge percentage rate as described in subsection (2) of this section, the department shall notify all persons with an active account within the environmental data management system of the reduced surcharge percentage rate.**

**(4) Surcharge moneys collected by the department under this section shall be included in the fee or invoice payment associated with the surcharge and initially deposited into the same fund or account as the fee or invoice payment associated with the surcharge. The department shall periodically transfer all surcharge moneys from the funds or accounts into which surcharge moneys were initially deposited to the Environmental Data Management System Fund established under section 4 of this 2021 Act.**

**SECTION 4.** The Environmental Data Management System Fund is established in the State Treasury, separate and distinct from the General Fund. The Environmental Data Management System Fund consists of moneys deposited in the fund under section 3 of this 2021 Act and may include moneys appropriated, allocated, deposited or transferred to the fund by the Legislative Assembly or otherwise. Moneys in the Environmental Data Management System Fund are continuously appropriated to the Department of Environmental Quality for the maintenance and operations costs associated with the department's environmental data management system.

Passed by Senate June 23, 2021

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House June 25, 2021

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Tina Kotek, Speaker of House

Received by Governor:

.....M.,....., 2021

Approved:

.....M.,....., 2021

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2021

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Shemia Fagan, Secretary of State