

Requested by JOINT COMMITTEE ON WAYS AND MEANS

**PROPOSED AMENDMENTS TO  
A-ENGROSSED SENATE BILL 1536**

1 On page 1 of the printed A-engrossed bill, line 3, after “197.772,” insert  
2 “431A.400,”.

3 After line 3, insert:

4 “Whereas the frequency and severity of extreme weather events and  
5 wildfires affecting Oregonians has increased in recent years and is expected  
6 to increase further; and

7 “Whereas the impacts of extreme weather events such as cold snaps and  
8 heat domes have a disproportionate impact on low-income communities and  
9 members of environmental justice communities; and

10 “Whereas heating, cooling or air filtration technologies may increase  
11 electricity use and can impact the energy burden of low-income residential  
12 customers and residential customers who are members of environmental jus-  
13 tice communities; and

14 “Whereas energy efficient air conditioners and heat pumps and other en-  
15 ergy burden mitigation measures can save renters and homeowners money  
16 on utility bills and improve the comfort and habitability of dwellings; now,  
17 therefore,”.

18 On page 6, delete lines 19 through 45 and delete pages 7 through 13.

19 On page 14, delete lines 1 through 18 and insert:

20

21 **“AIR CONDITIONER AND AIR FILTER**

1 **DEPLOYMENT PROGRAM**

2  
3 **“SECTION 7. (1) As used in this section:**

4 **“(a) ‘Air conditioner’ means a portable, stand-up air conditioner**  
5 **that has an energy efficiency ratio rating of eight or higher.**

6 **“(b)(A) ‘Air filter’ means an air filtering device that uses a high-**  
7 **efficiency particulate air (HEPA) filter to remove contaminating par-**  
8 **ticles from the air.**

9 **“(B) ‘Air filter’ does not include a device that is labeled an ‘air**  
10 **purifier’ and that uses an electrostatic or ionizing process.**

11 **“(c) ‘Eligible distribution entity’ means a:**

12 **“(A) Local government as defined in ORS 174.116;**

13 **“(B) Local housing authority;**

14 **“(C) Nonprofit organization;**

15 **“(D) Federally recognized Indian tribe in Oregon;**

16 **“(E) Indian health center;**

17 **“(F) Coordinated care organization as defined in ORS 414.025;**

18 **“(G) Community action agency as described in ORS 458.505;**

19 **“(H) Manufactured dwelling park nonprofit cooperative as defined**  
20 **in ORS 62.803;**

21 **“(I) Landlord that has a residential tenant who has received medical**  
22 **assistance through the Oregon Health Authority, the Department of**  
23 **Human Services or Medicare within the past 12 months;**

24 **“(J) Electric utility as defined in ORS 757.600; or**

25 **“(K) Natural gas utility as defined in ORS 757.392.**

26 **“(d) ‘Medical assistance’ has the meaning given that term in ORS**  
27 **414.025.**

28 **“(2)(a) The Oregon Health Authority shall create a program to:**

29 **“(A) Acquire a supply of air conditioners and air filters; and**

30 **“(B) Distribute the air conditioners and air filters to eligible dis-**

1 **tribution entities that will provide the air conditioners and air filters**  
2 **on an emergency basis to eligible individuals as described in subsection**  
3 **(4) of this section.**

4 **“(b) The Oregon Health Authority may provide or contract with one**  
5 **or more third parties to administer the program.**

6 **“(3) The administrator of the program shall:**

7 **“(a) Determine the percentage of program funds needed to support**  
8 **the costs of installation and materials for installation.**

9 **“(b) Determine the percentage of program funds, but no more than**  
10 **10 percent of program funds, needed to cover the costs of the authority**  
11 **or a third party or parties and eligible distribution entities in admin-**  
12 **istering the program.**

13 **“(c) Make technical assistance resources available to individuals**  
14 **who receive an air conditioner or air filter under the program that**  
15 **answer questions about the installation, use and maintenance of the**  
16 **air conditioners and air filters.**

17 **“(d) Provide technical assistance to eligible distribution entities,**  
18 **including assistance that supports the distribution, installation and**  
19 **maintenance of the air conditioners and air filters.**

20 **“(4) An eligible distribution entity may distribute air conditioners**  
21 **and air filters under this section only to individuals who:**

22 **“(a) Are eligible to receive medical assistance through the Oregon**  
23 **Health Authority, the Department of Human Services or Medicare, or**  
24 **have received any of these services in the past 12 months;**

25 **“(b) Reside in any type of housing or recreational vehicle, as defined**  
26 **in ORS 174.101, that has electricity for operating the air conditioner**  
27 **or air filter; and**

28 **“(c) Upon receiving an air conditioner or air filter, provide an**  
29 **attestation that the individual can safely and legally install the air**  
30 **conditioner or air filter in the individual’s home or recreational vehi-**

1 cle.

2 “(5) The Oregon Health Authority shall make available a list of el-  
3 igible distribution entities participating in the program to:

4 “(a) Individuals who are eligible to receive medical assistance  
5 through the Oregon Health Authority or Department of Human Ser-  
6 vices.

7 “(b) The 2-1-1 system provided for in ORS 403.400 to 403.430.

8 “(c) The Housing and Community Services Department.

9 “(6) The Oregon Health Authority and any eligible distribution en-  
10 tity participating in the program are immune from civil liability for:

11 “(a) The functioning, safety or impact of any air conditioner or air  
12 filter distributed by the program.

13 “(b) Any heat-related health impacts to an individual using an air  
14 conditioner or air filter distributed by the program.

15 “(7) The Oregon Health Authority shall adopt rules to implement  
16 the program.

17 “SECTION 8. In addition to and not in lieu of any other appropri-  
18 ation, there is appropriated to the Oregon Health Authority, for the  
19 biennium ending June 30, 2023, out of the General Fund, the amount  
20 of \$5,000,000, for the program created under section 7 of this 2022 Act.

21

22 “HOUSING AND COMMUNITY SERVICES DEPARTMENT WEBSITE

23

24 “SECTION 9. Section 10 of this 2022 Act is added to and made a part  
25 of ORS chapter 458.

26 “SECTION 10. The Housing and Community Services Department  
27 shall make available on the department’s website:

28 “(1) A list of dates and counties in which there exists an extreme  
29 heat event as defined in section 2 of this 2022 Act. Dates published on  
30 the website must remain on the website for at least one year.

1       **“(2) Information regarding relevant programs and services available**  
2 **to landlords to provide adequate cooling under ORS 90.320 (1)(m) or**  
3 **90.730 (3)(d), including:**

4       **“(a) Programs administered by the department;**

5       **“(b) Information provided by the Oregon Health Authority regard-**  
6 **ing programs administered by the authority, including the list of eli-**  
7 **gible distribution entities compiled under section 7 (5) of this 2022 Act;**

8       **“(c) Information provided by the State Department of Energy re-**  
9 **garding programs administered by the department;**

10       **“(d) Programs administered by the nongovernmental entity that**  
11 **administers public purpose charge moneys under ORS 757.612 (3)(d);**  
12 **and**

13       **“(e) Federal programs, rebates or incentives, including those ad-**  
14 **ministered by the Bonneville Power Administration.**

15  
16                   **“COOLING REQUIREMENTS IN NEW UNITS**

17  
18       **“SECTION 11.** ORS 90.320 is amended to read:

19       **“90.320. (1) A landlord shall at all times during the tenancy maintain the**  
20 **dwelling unit in a habitable condition. For purposes of this section, a**  
21 **dwelling unit shall be considered uninhabitable if it substantially lacks:**

22       **“(a) Effective waterproofing and weather protection of roof and exterior**  
23 **walls, including windows and doors;**

24       **“(b) Plumbing facilities that conform to applicable law in effect at the**  
25 **time of installation[,] and are maintained in good working order;**

26       **“(c) A water supply approved under applicable law that is:**

27       **“(A) Under the control of the tenant or landlord and is capable of**  
28 **producing hot and cold running water;**

29       **“(B) Furnished to appropriate fixtures;**

30       **“(C) Connected to a sewage disposal system approved under applicable**

1 law; and

2 “(D) Maintained so as to provide safe drinking water and to be in good  
3 working order to the extent that the system can be controlled by the land-  
4 lord;

5 “(d) Adequate heating facilities that conform to applicable law at the time  
6 of installation and **are** maintained in good working order;

7 “(e) Electrical lighting with wiring and electrical equipment that conform  
8 to applicable law at the time of installation and **is** maintained in good  
9 working order;

10 “(f) Buildings, grounds and appurtenances at the time of the commence-  
11 ment of the rental agreement in every part safe for normal and reasonably  
12 foreseeable uses, clean, sanitary and free from all accumulations of debris,  
13 filth, rubbish, garbage, rodents and vermin, and all areas under control of  
14 the landlord kept in every part safe for normal and reasonably foreseeable  
15 uses, clean, sanitary and free from all accumulations of debris, filth, rubbish,  
16 garbage, rodents and vermin;

17 “(g) Except as otherwise provided by local ordinance or by written  
18 agreement between the landlord and the tenant, an adequate number of ap-  
19 propriate receptacles for garbage and rubbish in clean condition and good  
20 repair at the time of the commencement of the rental agreement, and the  
21 landlord shall provide and maintain appropriate serviceable receptacles  
22 thereafter and arrange for their removal;

23 “(h) Floors, walls, ceilings, stairways and railings maintained in good  
24 repair;

25 “(i) Ventilating, air conditioning and other facilities and appliances, in-  
26 cluding elevators, maintained in good repair if supplied or required to be  
27 supplied by the landlord;

28 “(j) Safety from fire hazards, including a working smoke alarm or smoke  
29 detector, with working batteries if solely battery-operated, provided only at  
30 the beginning of any new tenancy when the tenant first takes possession of

1 the premises, as provided in ORS 479.270, but not to include the tenant’s  
2 testing of the smoke alarm or smoke detector as provided in ORS 90.325 (1);

3 “(k) A carbon monoxide alarm, and the dwelling unit:

4 “(A) Contains a carbon monoxide source; or

5 “(B) Is located within a structure that contains a carbon monoxide source  
6 and the dwelling unit is connected to the room in which the carbon monoxide  
7 source is located by a door, ductwork or a ventilation shaft; [*or*]

8 “(L) Working locks for all dwelling entrance doors, and, unless contrary  
9 to applicable law, latches for all windows, by which access may be had to  
10 that portion of the premises that the tenant is entitled under the rental  
11 agreement to occupy to the exclusion of others and keys for those locks that  
12 require keys[.]; **or**

13 **“(m) For a dwelling unit in a building where building permits for  
14 its construction were issued on or after April 1, 2024, adequate cooling  
15 facilities that:**

16 **“(A) Provide cooling in at least one room of the dwelling unit, not  
17 including a bathroom;**

18 **“(B) Conform to applicable law at the time of installation and are  
19 maintained in good working order; and**

20 **“(C) May include central air conditioning, an air-source or ground-  
21 source heat pump or a portable air conditioning device that is provided  
22 by the landlord.**

23 “(2) The landlord and tenant may agree in writing that the tenant is to  
24 perform specified repairs, maintenance tasks and minor remodeling only if:

25 “(a) The agreement of the parties is entered into in good faith and not for  
26 the purpose of evading the obligations of the landlord;

27 “(b) The agreement does not diminish the obligations of the landlord to  
28 other tenants in the premises; and

29 “(c) The terms and conditions of the agreement are clearly and fairly  
30 disclosed and adequate consideration for the agreement is specifically stated.

1 “(3) Any provisions of this section that reasonably apply only to a struc-  
2 ture that is used as a home, residence or sleeping place [*shall*] **do** not apply  
3 to a manufactured dwelling, recreational vehicle or floating home where the  
4 tenant owns the manufactured dwelling, recreational vehicle or floating  
5 home, rents the space and, in the case of a dwelling or home, the space is  
6 not in a facility. Manufactured dwelling or floating home tenancies in which  
7 the tenant owns the dwelling or home and rents space in a facility [*shall*  
8 *be*] **are** governed by ORS 90.730[,] **and** not by this section.

9 **“SECTION 12.** ORS 90.730 is amended to read:

10 “90.730. (1) As used in this section, ‘facility common areas’ means all  
11 areas under control of the landlord and held out for the general use of ten-  
12 ants.

13 “(2) A landlord who rents a space for a manufactured dwelling or floating  
14 home shall at all times during the tenancy maintain the rented space, vacant  
15 spaces in the facility and the facility common areas in a habitable condition.  
16 The landlord does not have a duty to maintain a dwelling or home. A  
17 landlord’s habitability duty under this section includes only the matters de-  
18 scribed in subsections (3) to (6) of this section.

19 “(3) For purposes of this section, a rented space is considered uninhabitable  
20 if it substantially lacks:

21 “(a) A sewage disposal system and a connection to the space approved  
22 under applicable law at the time of installation and maintained in good  
23 working order to the extent that the sewage disposal system can be con-  
24 trolled by the landlord;

25 “(b) If required by applicable law, a drainage system reasonably capable  
26 of disposing of storm water, ground water and subsurface water, approved  
27 under applicable law at the time of installation and maintained in good  
28 working order;

29 “(c) A water supply and a connection to the space approved under appli-  
30 cable law at the time of installation and maintained so as to provide safe



1 drinking water and to be in good working order to the extent that the water  
2 supply system can be controlled by the landlord;

3 “(d) An electrical supply and a connection to the space approved under  
4 applicable law at the time of installation and maintained in good working  
5 order **and of sufficient amperage to meet reasonable year-round needs**  
6 **for electrical heating and cooling uses**, to the extent that the electrical  
7 supply system can be controlled by the landlord;

8 “(e) A natural gas or propane gas supply and a connection to the space  
9 approved under applicable law at the time of installation and maintained in  
10 good working order to the extent that the gas supply system can be con-  
11 trolled by the landlord, if the utility service is provided within the facility  
12 pursuant to the rental agreement;

13 “(f) At the time of commencement of the rental agreement, buildings,  
14 grounds and appurtenances that are kept in every part safe for normal and  
15 reasonably foreseeable uses, clean, sanitary and free from all accumulations  
16 of debris, filth, rubbish, garbage, rodents and vermin;

17 “(g) Excluding the normal settling of land, a surface or ground capable  
18 of supporting a manufactured dwelling approved under applicable law at the  
19 time of installation and maintained to support a dwelling in a safe manner  
20 so that it is suitable for occupancy. A landlord’s duty to maintain the surface  
21 or ground arises when the landlord knows or should know of a condition  
22 regarding the surface or ground that makes the dwelling unsafe to occupy;  
23 and

24 “(h) Completion of any landlord-provided space improvements, including  
25 but not limited to installation of carports, garages, driveways and sidewalks,  
26 approved under applicable law at the time of installation.

27 “(4) A rented space is considered uninhabitable if the landlord does not  
28 maintain a hazard tree as required by ORS 90.727.

29 “(5) A vacant space in a facility is considered uninhabitable if the space  
30 substantially lacks safety from the hazards of fire or injury.

1 “(6) A facility common area is considered uninhabitable if it substantially  
2 lacks:

3 “(a) Buildings, grounds and appurtenances that are kept in every part safe  
4 for normal and reasonably foreseeable uses, clean, sanitary and free from all  
5 accumulations of debris, filth, rubbish, garbage, rodents and vermin;

6 “(b) Safety from the hazards of fire;

7 “(c) Trees, shrubbery and grass maintained in a safe manner;

8 “(d) If supplied or required to be supplied by the landlord to a common  
9 area, a water supply system, sewage disposal system or system for disposing  
10 of storm water, ground water and subsurface water approved under applica-  
11 ble law at the time of installation and maintained in good working order to  
12 the extent that the system can be controlled by the landlord; and

13 “(e) Except as otherwise provided by local ordinance or by written  
14 agreement between the landlord and the tenant, an adequate number of ap-  
15 propriate receptacles for garbage and rubbish in clean condition and good  
16 repair at the time of commencement of the rental agreement and for which  
17 the landlord shall provide and maintain appropriate serviceable receptacles  
18 thereafter and arrange for their removal.

19 “(7) The landlord and tenant may agree in writing that the tenant is to  
20 perform specified repairs, maintenance tasks and minor remodeling only if:

21 “(a) The agreement of the parties is entered into in good faith and not for  
22 the purpose of evading the obligations of the landlord;

23 “(b) The agreement does not diminish the obligations of the landlord to  
24 other tenants on the premises; and

25 “(c) The terms and conditions of the agreement are clearly and fairly  
26 disclosed and adequate consideration for the agreement is specifically stated.

27 **“SECTION 13. The amendments to ORS 90.730 by section 12 of this**  
28 **2022 Act apply only to spaces in which, on or after the effective date**  
29 **of this 2022 Act:**

30 **“(1) A new manufactured dwelling or floating home is connected to**

1 **the electrical supply; or**

2 **“(2) The electrical supply or electrical supply connection is replaced.**

3

4 **“HEAT PUMP DEPLOYMENT PROGRAM**

5

6 **“SECTION 14. (1) As used in this section:**

7 **“(a) ‘Bulk fuel’ means liquid petroleum, propane, coal, wood,**  
8 **wood-based products or other fuel delivered and stored until used on-**  
9 **site by the final consumer to produce energy.**

10 **“(b) ‘Climate zone’ means a heating or cooling climate zone as-**  
11 **signed to a county by the Bonneville Power Administration.**

12 **“(c) ‘Electric resistance heat’ means heat produced by passing an**  
13 **electric current through a material that has high resistance, such as**  
14 **used in an electric baseboard, wall or space heater.**

15 **“(d) ‘Electric utility’ has the meaning given that term in ORS**  
16 **757.600.**

17 **“(e) ‘Eligible entity’ means a:**

18 **“(A) Local government as defined in ORS 174.116;**

19 **“(B) Local housing authority;**

20 **“(C) Nonprofit organization;**

21 **“(D) Federally recognized Indian tribe in Oregon;**

22 **“(E) Coordinated care organization as defined in ORS 414.025;**

23 **“(F) Community action agency as described in ORS 458.505;**

24 **“(G) Manufactured dwelling park nonprofit cooperative as defined**  
25 **in ORS 62.803; or**

26 **“(H) An electric utility.**

27 **“(f) ‘Energy burden’ means the percentage of gross household in-**  
28 **come spent on energy costs.**

29 **“(g) ‘Environmental justice communities’ has the meaning given**  
30 **that term in ORS 469A.400.**

1       “(h) ‘Heat pump’ means an air-source or ground-source heat pump  
2 with an energy efficiency rating set by the State Department of En-  
3 ergy under subsection (5) of this section or a higher efficiency rating.

4       “(i) ‘Region’ means an economic development district in Oregon,  
5 designated by the Economic Development Administration of the  
6 United States Department of Commerce, for which a regional solutions  
7 center has been established under ORS 284.754.

8       “(2) The Heat Pump Deployment Program is established within the  
9 State Department of Energy. The purpose of the program is to award  
10 grants to one eligible entity for each region and federally recognized  
11 Indian tribe in Oregon to provide financial assistance, including loans,  
12 grants, rebates or incentives, for the purchase and installation of heat  
13 pumps and related upgrades to individuals who reside within that re-  
14 gion or who are members of that tribe.

15       “(3)(a) To be eligible to receive a grant from the Heat Pump De-  
16 ployment Program, an eligible entity must establish that it:

17       “(A) Serves or represents:

18       “(i) An environmental justice community or communities within a  
19 region; or

20       “(ii) Members of a federally recognized Indian tribe in Oregon; and

21       “(B) Has the capacity to administer grant funds received under this  
22 section.

23       “(b) An eligible entity applying for a grant may partner with other  
24 eligible entities, but the entity that is awarded the grant shall take a  
25 lead role in administering grant funds and providing financial assist-  
26 ance.

27       “(c) An eligible entity that serves or represents a community that  
28 is located within more than one region may apply for a grant only for  
29 the region within which the greatest percentage of the individuals of  
30 that community reside.

1       “(d) An eligible entity that serves a specific geographical area may  
2 propose, in consultation with any electric utility that serves the area,  
3 that the department use alternative boundaries to define a region. The  
4 department may approve the use of alternative boundaries to define a  
5 region provided that a minimum percentage, as determined by the  
6 department, of the eligible entity’s specific geographical area is within  
7 the alternative boundaries of the region.

8       “(e) If an electric utility is awarded a grant from the Heat Pump  
9 Deployment Program:

10       “(A) The electric utility may provide financial assistance from grant  
11 funds only to individuals who reside within the electric utility’s service  
12 area and within the region for which the electric utility is awarded a  
13 grant.

14       “(B) The electric utility shall partner with one or more other eligi-  
15 ble entities to provide financial assistance from grant funds to indi-  
16 viduals who reside outside the electric utility’s service area and within  
17 the region for which the electric utility is awarded a grant.

18       “(4) An eligible entity that is awarded a grant from the Heat Pump  
19 Deployment Program shall:

20       “(a) Use the grant funds to cover up to:

21       “(A) One hundred percent of the purchase and installation costs of  
22 a heat pump.

23       “(B) A percentage, as determined by the department, of the costs  
24 for related upgrades that support or enable the use of a heat pump,  
25 including:

26       “(i) A new electrical panel or other upgrades to the electrical sys-  
27 tem of a home or building.

28       “(ii) Weatherization or other structural repairs to reduce home or  
29 building heat and cooling loss.

30       “(iii) Upgrades to improve the airflow of a home or building.

1       **“(b) Prioritize the provision of financial assistance to:**  
2       **“(A) Environmental justice communities.**  
3       **“(B) Individuals who rely on bulk fuels or electric resistance heat-**  
4 **ing.**  
5       **“(C) Individuals who reside in a home or structure that does not**  
6 **have a functioning heating or cooling system.**  
7       **“(c) Enter into a performance agreement with the department as**  
8 **described in subsection (8) of this section.**  
9       **“(5) The department shall:**  
10       **“(a) Award grants using available funds in the Heat Pump Deploy-**  
11 **ment Fund established under section 16 of this 2022 Act.**  
12       **“(b) In awarding grants, give preference to eligible entities with:**  
13       **“(A) Experience in administering state grant programs or programs**  
14 **similar to the Heat Pump Deployment Program.**  
15       **“(B) Experience with community program development within a**  
16 **region or with members of a tribe.**  
17       **“(C) Connections to communities within a region or with members**  
18 **of a tribe.**  
19       **“(c) Develop criteria for allocating the amount of each grant based**  
20 **on the energy burden of residences within the region or of members**  
21 **of the tribe and the climate zones that make up the counties of that**  
22 **region or of tribal lands.**  
23       **“(d) Permit a review of awarded grant funds by members of com-**  
24 **munities who may benefit from the Heat Pump Deployment Program.**  
25       **“(e) In consultation with electric utilities, the Bonneville Power**  
26 **Administration and the nongovernmental entity that administers**  
27 **public purpose charge moneys collected under ORS 757.612 (3)(d), set**  
28 **the minimum energy efficiency rating that a heat pump must have to**  
29 **be eligible for grant funds. The minimum energy efficiency rating for**  
30 **a heat pump set by the department must be equal to or greater than**

1 **federal energy efficiency rating standards for heat pumps.**

2 **“(6) The department may not use moneys collected through the**  
3 **energy resource supplier assessment required under ORS 469.421 (8) to**  
4 **fund grants awarded under the Heat Pump Deployment Program.**

5 **“(7) The department may:**

6 **“(a) Establish a maximum amount of grant funds payable toward**  
7 **the purchase and installation of a heat pump and related upgrades.**

8 **“(b) Permit the use of loans, grants, rebates or incentives offered**  
9 **by an electric utility or other programs toward any costs of the pur-**  
10 **chase and installation of a heat pump and related upgrades not cov-**  
11 **ered by the Heat Pump Deployment Program.**

12 **“(c) Provide information to individuals receiving financial assist-**  
13 **ance from the Heat Pump Deployment Program about other loans,**  
14 **grants, rebates or incentives that may be offered by an electric utility**  
15 **or other programs.**

16 **“(d) Develop criteria for how specific loans, grants, rebates or in-**  
17 **centives offered by an electric utility or other programs may be used**  
18 **toward the costs of the purchase or installation of a heat pump and**  
19 **related upgrades.**

20 **“(e) Establish incentives to encourage the purchase and installation**  
21 **of heat pumps and related upgrades that have higher efficiency**  
22 **ratings.**

23 **“(f) Establish incentives for the purchase and installation of a**  
24 **heating or cooling device that has an efficiency rating similar to or**  
25 **higher than that of a heat pump and that provides additional benefits**  
26 **such as improving indoor air quality or lowering an individual’s energy**  
27 **burden.**

28 **“(g) Develop program procedures and practices that align with the**  
29 **reporting and other requirements of loans, grants, rebates or incen-**  
30 **tives offered by an electric utility or other programs.**

1       **“(h) Require, by rule, that eligible entities notify electric utilities**  
2 **of a heat pump installation and whether grant funds may be used for**  
3 **necessary electric distribution system upgrades associated with the**  
4 **installation of the heat pump.**

5       **“(8) Before receiving a grant under this section, an eligible entity**  
6 **shall enter into a performance agreement with the department that:**

7       **“(a) Indicates the purposes for which the grant funds may be used;**

8       **“(b) Prohibits the eligible entity from using more than 15 percent**  
9 **of awarded grant funds for administrative expenses and marketing**  
10 **costs;**

11       **“(c) Includes the repayment provisions set forth in subsection (9)**  
12 **of this section;**

13       **“(d) Permits the department to conduct audits and investigations**  
14 **of the eligible entity regarding the use of grant funds; and**

15       **“(e) Requires the eligible entity to provide reports as required by**  
16 **subsection (10) of this section.**

17       **“(9) An eligible entity must repay to the department, in whole or**  
18 **in part, grant funds received under this section to the extent that:**

19       **“(a) The eligible entity does not use the grant funds in accordance**  
20 **with the provisions of the performance agreement executed between**  
21 **the department and the eligible entity under subsection (8) of this**  
22 **section; or**

23       **“(b) The Director of the State Department of Energy determines**  
24 **that the eligible entity must repay all or part of the grant funds on**  
25 **grounds of misappropriation, fraud or similar reasons after auditing**  
26 **or investigating the eligible entity’s operations and conducting a con-**  
27 **tested case hearing under ORS 183.413 to 183.470.**

28       **“(10) Each eligible entity that receives a grant under this section**  
29 **shall report to the department by June 30 of each year concerning the**  
30 **status and use of grant funds. The report may not disclose the per-**



1 **sonal information of the recipients of financial assistance under the**  
2 **program. The report must include:**

3 **“(a) A detailed description of the eligible entity’s use of grant funds;**

4 **“(b) A list of each loan, grant or other financial assistance that the**  
5 **eligible entity has provided and, where applicable, a full accounting**  
6 **of the repayment status of the loans;**

7 **“(c) The nature and amounts of the administrative expenses and**  
8 **marketing costs the eligible entity has incurred in providing loans,**  
9 **grants and other financial assistance under the program; and**

10 **“(d) Any other information required by the department.**

11 **“(11) The department shall adopt rules to carry out the provisions**  
12 **of this section. The rules shall be developed in consultation with:**

13 **“(a) The Bureau of Labor and Industries on issues related to the**  
14 **workforce.**

15 **“(b) The Building Codes Division of the Department of Consumer**  
16 **and Business Services on issues related to building codes and com-**  
17 **missioning.**

18 **“(c) The Housing and Community Services Department to ensure**  
19 **the Heat Pump Deployment Program complements any existing pro-**  
20 **grams or services.**

21 **“(d) The Department of Environmental Quality on issues of air**  
22 **quality related to bulk fuels and to ensure the Heat Pump Deployment**  
23 **Program complements any existing programs or services.**

24 **“(e) The Oregon Health Authority on any health impacts and health**  
25 **impact data related to the Heat Pump Deployment Program and to**  
26 **ensure the program complements any existing programs or services.**

27 **“(f) Electric utilities and utility program administrators on any**  
28 **impacts the Heat Pump Deployment Program may have on utility**  
29 **systems or services and to ensure the program complements any ex-**  
30 **isting programs, incentives or services.**

1       “(g) Nonprofit organizations, housing providers, heat pump techni-  
2 cians and other stakeholders as appropriate.

3       “SECTION 15. (1) The Heat Pump Deployment Advisory Council is  
4 established.

5       “(2) The council consists of representatives from eligible entities  
6 administering grant funds under the Heat Pump Deployment Program  
7 established under section 14 of this 2022 Act.

8       “(3) The council shall study and identify:

9       “(a) Best practices for administering grant funds and providing fi-  
10 nancial assistance;

11       “(b) Barriers to administering grant funds and providing financial  
12 assistance; and

13       “(c) Opportunities for providing technical assistance.

14       “(4) A majority of the members of the council constitutes a quorum  
15 for the transaction of business.

16       “(5) Official action by the council requires the approval of a ma-  
17 jority of the members of the council.

18       “(6) The council shall elect one of its members to serve as chair-  
19 person.

20       “(7) The council shall meet at times and places specified by the call  
21 of the chairperson or of a majority of the members of the council. The  
22 council may meet by telephone or video conference.

23       “(8) The council may adopt rules necessary for the operation of the  
24 council.

25       “(9) Members of the council are entitled to compensation and ex-  
26 penses as provided in ORS 292.495 from moneys in the Heat Pump De-  
27 ployment Fund established under section 16 of this 2022 Act.

28       “(10) The State Department of Energy shall provide staff support  
29 to the council.

30       “SECTION 16. (1) The Heat Pump Deployment Fund is established

1 in the State Treasury, separate and distinct from the General Fund.  
2 Interest earned by the Heat Pump Deployment Fund shall be credited  
3 to the fund. The fund consists of:

4 “(a) Moneys appropriated or otherwise transferred to the fund by  
5 the Legislative Assembly;

6 “(b) Moneys received from federal, state or local sources;

7 “(c) Gifts, grants or other moneys contributed to the fund; and

8 “(d) Other amounts deposited in the fund from any source.

9 “(2) Moneys in the fund are continuously appropriated to the State  
10 Department of Energy for the purpose of the Heat Pump Deployment  
11 Program established under section 14 of this 2022 Act.

12 “(3) The department may use reasonable amounts from the fund,  
13 but no more than 15 percent of the fund, necessary to:

14 “(a) Administer and market the Heat Pump Deployment Program;  
15 and

16 “(b) Provide for the compensation and expenses of members of the  
17 Heat Pump Deployment Advisory Council established under section 15  
18 of this 2022 Act.

19 “(4) The Director of the State Department of Energy shall submit  
20 a biennial report to the Legislative Assembly in the manner provided  
21 by ORS 293.640 regarding the expenditures of moneys deposited in the  
22 Heat Pump Deployment Fund, including:

23 “(a) A detailed description of the use of the moneys;

24 “(b) A detailed description of the loans, grants or other financial  
25 assistance provided from the moneys and, where applicable, an ac-  
26 counting of the repayment status of the loans;

27 “(c) The nature and amounts of the administrative expenses and  
28 marketing costs paid from the moneys; and

29 “(d) Indicators of program success.

30 **SECTION 17.** The Director of the State Department of Energy shall

1 submit the first biennial report required under section 16 of this 2022  
2 Act to the Legislative Assembly no later than December 31, 2023.

3 **“SECTION 18.** In addition to and not in lieu of any other appropri-  
4 ation, there is appropriated to the State Department of Energy, for the  
5 biennium ending June 30, 2023, out of the General Fund, the amount  
6 of \$10,000,000 for deposit into the Heat Pump Deployment Fund estab-  
7 lished under section 16 of this 2022 Act.

8 **“SECTION 18a.** Notwithstanding any other law limiting expendi-  
9 tures, the amount of \$5,548,537 is established for the biennium ending  
10 June 30, 2023, as the maximum limit for payment of expenses by the  
11 State Department of Energy from the Heat Pump Deployment Fund  
12 established under section 16 of this 2022 Act to be used for the Heat  
13 Pump Deployment Program under sections 14 to 17 of this 2022 Act.

14

15 **“RESIDENTIAL HEAT PUMP REBATES AND GRANTS**

16

17 **“SECTION 19. (1)** The State Department of Energy shall provide  
18 rebates for the purchase and installation of air-source or ground-  
19 source heat pumps to owners of a dwelling unit used as a residential  
20 tenancy and to owners of a manufactured dwelling or recreational  
21 vehicle who rent a space in a manufactured dwelling or recreational  
22 vehicle park.

23 **“(2)(a)** Rebates available under this section may only be claimed by  
24 a contractor that installs a heat pump for the owner of a residential  
25 dwelling unit in Oregon. A contractor that claims a rebate under this  
26 section must use the full amount of the rebate to reduce the net cost  
27 to the customer of the purchase of the heat pump for which the rebate  
28 is issued.

29 **“(b)** The amount that may be claimed as a rebate under this section  
30 may not exceed:

1       “(A) For the owner of a dwelling unit used as a residential tenancy,  
2       **60 percent of the purchase price of the heat pump.**

3       “(B) For the owner of a manufactured dwelling or recreation vehi-  
4       **cle, a percentage of the purchase price of the heat pump as established**  
5       **by the department.**

6       “(c) To be eligible to claim a rebate on behalf of a customer under  
7       **this section, a contractor that installs a heat pump must, at the time**  
8       **of the installation:**

9       “(A) Hold any license, bond, insurance or permit required to sell  
10       **and install the heat pump;**

11       “(B) Demonstrate a history of compliance with the rules and other  
12       **requirements of the Construction Contractors Board, the Bureau of**  
13       **Labor and Industries and the Workers’ Compensation Division and the**  
14       **Occupational Safety and Health Division of the Department of Con-**  
15       **sumer and Business Services; and**

16       “(C) Meet any other certification requirements set forth in rules  
17       **adopted by the State Department of Energy.**

18       “(3) To claim a rebate under this section, a contractor must:

19       “(a) Before installing a heat pump, apply to the department to re-  
20       **serve a rebate on behalf of the customer for whom the heat pump will**  
21       **be installed.**

22       “(b) After installing the heat pump, verify the purchase and in-  
23       **stallation of the heat pump on a form provided by the department that**  
24       **must contain:**

25       “(A) The location of the heat pump;

26       “(B) A description of the heat pump;

27       “(C) Evidence that the contractor is eligible to claim a rebate under  
28       **subsection (2)(c) of this section;**

29       “(D) A statement signed by both the contractor and the customer  
30       **for whom the heat pump is installed that the customer has received**

1 the full value of the rebate as a reduction in the net cost of the pur-  
2 chase and installation of the heat pump and that the rebate was  
3 clearly reflected on an invoice provided to the customer;

4 “(E) The projected energy savings from the installation of the heat  
5 pump; and

6 “(F) Any other information that the department determines is  
7 necessary.

8 “(4) Rebates made under this section must be made from moneys  
9 in the Residential Heat Pump Fund established under section 21 of this  
10 2022 Act. A rebate may be made only if there are moneys available in  
11 the fund to make the rebate.

12 “(5) Pursuant to the procedures for a contested case under ORS  
13 chapter 183, the department may:

14 “(a) Deny or revoke a contractor’s eligibility to claim a rebate on  
15 behalf of a customer under this section if the department finds that:

16 “(A) The contractor’s eligibility was obtained by fraud or misrep-  
17 resentation by the contractor;

18 “(B) The contractor’s performance for installation of heat pumps  
19 does not meet industry standards; or

20 “(C) The contractor has misrepresented to customers either the  
21 program established under this section or the nature or quality of the  
22 heat pumps for which rebates are available.

23 “(b) Revoke a rebate or a portion of a rebate made under this sec-  
24 tion if the department finds that:

25 “(A) The rebate was obtained by fraud or misrepresentation; or

26 “(B) The rebate was obtained by mistake or miscalculation.

27 “(6)(a) The department may adopt rules to administer the rebate  
28 program.

29 “(b) In adopting rules under this section, the department may co-  
30 ordinate or consult with:

1       **“(A) The Housing and Community Services Department, the Build-**  
2 **ing Codes Division of the Department of Consumer and Business Ser-**  
3 **vices and any other relevant state agencies;**

4       **“(B) Nonprofit organizations and utilities; and**

5       **“(C) Other incentive providers.**

6       **“(c) Rules adopted under this section may include:**

7       **“(A) Preferences for providing rebates that benefit low and moder-**  
8 **ate income residential tenants;**

9       **“(B) Preferences for providing rebates to support heat pumps with**  
10 **superior energy efficiency;**

11       **“(C) Provisions for determining eligibility and verification of heat**  
12 **pumps; and**

13       **“(D) Policies and procedures for the administration and enforce-**  
14 **ment of this section and section 21 of this 2022 Act, which may include**  
15 **policies and procedures for audits and inspections.**

16       **“SECTION 20. (1) The State Department of Energy shall provide**  
17 **grants for upgrades, including electrical and mechanical upgrades, to**  
18 **facilitate the installation of heat pumps for owners of a dwelling unit**  
19 **or a manufactured dwelling for whom a rebate has been reserved un-**  
20 **der section 19 (3)(a) of this 2022 Act.**

21       **“(2) Grants made under this section must be made from moneys in**  
22 **the Residential Heat Pump Fund established under section 21 of this**  
23 **2022 Act. A grant may be made only if there are moneys available in**  
24 **the fund to make the grant.**

25       **“(3)(a) The department shall adopt rules to administer the grant**  
26 **program.**

27       **“(b) In adopting rules under this section, the department may co-**  
28 **ordinate or consult with:**

29       **“(A) The Housing and Community Services Department, the Build-**  
30 **ing Codes Division of the Department of Consumer and Business Ser-**

1 vices, the United States Department of Energy and any other relevant  
2 agencies;

3 “(B) Nonprofit organizations and utilities; and

4 “(C) Other incentive providers.

5 “(c) Rules adopted under this section must include:

6 “(A) Preferences for providing grants that benefit low and moderate  
7 income residential tenants;

8 “(B) Provisions for determining eligibility and verification of the  
9 upgrades; and

10 “(C) Policies and procedures for the administration and enforce-  
11 ment of this section.

12 **“SECTION 21. (1) The Residential Heat Pump Fund is established**  
13 **in the State Treasury, separate and distinct from the General Fund.**  
14 **Moneys in the Residential Heat Pump Fund consist of:**

15 “(a) Amounts donated to the fund;

16 “(b) Amounts appropriated or otherwise transferred to the fund by  
17 the Legislative Assembly; and

18 “(c) Other amounts deposited into the fund from any public or pri-  
19 vate source.

20 “(2) Moneys in the fund are continuously appropriated to the State  
21 Department of Energy to be used to provide grants and rebates under  
22 sections 19 and 20 of this 2022 Act and to pay the costs and expenses  
23 of the department related to the administration and implementation  
24 of sections 19 and 20 of this 2022 Act.

25 “(3) In each calendar year, of the moneys available for issuing  
26 grants and rebate from the fund:

27 “(a) 25 percent must be reserved for affordable housing providers;  
28 and

29 “(b) 25 percent must be reserved for loans for owners of units oc-  
30 cupied by households whose income is less than 80 percent of the area



1 median income.

2 **“SECTION 22.** In addition to and not in lieu of any other appropri-  
3 ation, there is appropriated to the State Department of Energy, for the  
4 biennium ending June 30, 2023, out of the General Fund, the amount  
5 of \$15,000,000 for deposit into the Residential Heat Pump Fund estab-  
6 lished under section 21 of this 2022 Act.

7 **“SECTION 22a.** Notwithstanding any other law limiting expendi-  
8 tures, the amount of \$6,562,051 is established for the biennium ending  
9 June 30, 2023, as the maximum limit for payment of expenses by the  
10 State Department of Energy from the Residential Heat Pump Fund  
11 established under section 21 of this 2022 Act to be used for the resi-  
12 dential heat pump rebate and grant programs under sections 19 to 21  
13 of this 2022 Act.

14 **“SECTION 23.** (1) Sections 19 to 21 of this 2022 Act are repealed on  
15 January 2, 2025.

16 **“(2)** On the date of the repeal of sections 19 to 21 of this 2022 Act  
17 under subsection (1) of this section, any moneys in the Residential  
18 Heat Pump Fund that are unexpended, unobligated and not subject to  
19 any conditions or reservations under section 19 (3)(a) of this 2022 Act  
20 are transferred to the General Fund.

21

22 **“COMMUNITY COOLING SPACES**

23

24 **“SECTION 24.** (1) The State Department of Energy shall provide a  
25 grant to the nongovernmental entity that administers public purpose  
26 charge moneys under ORS 757.612 (3)(d) to enable the nongovern-  
27 mental entity to assist landlords in creating or operating, whenever  
28 there is an extreme heat event as defined in section 2 of this 2022 Act  
29 for the county of the premises, one or more private community cooling  
30 spaces available to the landlord’s tenants during the extreme heat

1 event that are on or near the premises and that maintain a temper-  
2 ature of not higher than 80 degrees Fahrenheit.

3 “(2) Assistance provided under this section may include:

4 “(a) Grants to landlords to create or operate community cooling  
5 spaces that will accommodate at least five individuals.

6 “(b) Information to landlords regarding:

7 “(A) Lists of providers and installers of suitable cooling devices;

8 “(B) Private and government programs that may be used to create  
9 or operate community cooling spaces; and

10 “(C) Best practices and model technical specifications for installing  
11 and operating various temporary and permanent community cooling  
12 spaces.

13 “(c) Promoting the services relating to community cooling spaces  
14 under this section that are provided by the nongovernmental entity.

15 “(3) The nongovernmental entity receiving a grant under this sec-  
16 tion shall maintain separate accounting of the expenditures of the  
17 grant funds and shall report the accounting to the Public Utility  
18 Commission and the independent auditor described in ORS 757.746  
19 (1)(d). The nongovernmental entity may not utilize moneys received  
20 under ORS 757.054 (4) or 757.612 (3)(d) for grant purposes under this  
21 section.

22 “SECTION 25. In addition to and not in lieu of any other appropri-  
23 ation, there is appropriated to the State Department of Energy, for the  
24 biennium ending June 30, 2023, out of the General Fund, the amount  
25 of \$2,000,000, to provide grants under section 24 of this 2022 Act.

26

27 “COOLING NEEDS STUDY

28

29 “SECTION 26. (1) The State Department of Energy shall study the  
30 cooling and electrical needs of publicly supported housing as defined

1 in ORS 456.250, manufactured dwelling parks and recreational vehicle  
2 parks. The study should detail information including but not limited  
3 to the following:

4 “(a) The prevalence of cooling facilities;

5 “(b) The need for cooling facilities;

6 “(c) Barriers to transitioning housing and parks to include cooling  
7 facilities; and

8 “(d) When possible, specific scenarios for properties in development  
9 or preservation to add cooling facilities.

10 “(2) The Building Codes Division of the Department of Consumer  
11 and Business Services shall provide assistance in conducting the study  
12 under this section.

13 **“SECTION 27.** In addition to and not in lieu of any other appropri-  
14 ation, there is appropriated to the State Department of Energy, for the  
15 biennium ending June 30, 2023, out of the General Fund, the amount  
16 of \$500,000, to perform the duties of the department under section 26  
17 of this 2022 Act.

18 **“SECTION 28.** Section 26 of this 2022 Act is repealed on January 2,  
19 2025.

20

21 **“STATE DEPARTMENT OF ENERGY REPORTS**

22

23 **“SECTION 29.** No later than September 15, 2023, the State Depart-  
24 ment of Energy shall provide a report to an appropriate interim com-  
25 mittee of the Legislative Assembly in the manner provided in ORS  
26 192.245 on:

27 “(1) The heat pump grants and rebates under sections 19 and 20 of  
28 this 2022 Act;

29 “(2) The community cooling spaces under section 24 of this 2022 Act;  
30 and

1       **“(3) The results of the cooling needs study under section 26 of this**  
2 **2022 Act.**

3  
4                               **“WARMING AND COOLING SHELTERS**

5  
6       **“SECTION 30.** ORS 431A.410 is amended to read:

7       “431A.410. (1) As used in this section, ‘smoke filtration system’ means an  
8 air filtration system capable of removing particulates and other harmful  
9 components of wildfire smoke in a public building.

10       “(2) In consultation and coordination with the Oregon Health Authority,  
11 the Department of Human Services shall establish and implement a grant  
12 program that allows local governments to:

13       “(a) Establish emergency [*clean air*] shelters **for clean air, warming or**  
14 **cooling.**

15       “(b) Equip public buildings with:

16       “(A) Smoke filtration systems so the public buildings may serve as  
17 cleaner air spaces during wildfire smoke and other poor air quality events.

18       “(B) **Warming or cooling facilities so the public buildings may serve**  
19 **as temperate spaces during dangerously hot or cold conditions.**

20       “(3) The department shall require grantees to provide access to the [*clean*  
21 *air*] shelters at no charge.

22       “(4) **Warming or cooling shelters or facilities receiving grants under**  
23 **this section shall notify the 2-1-1 system provided for in ORS 403.400**  
24 **to 403.430, regarding the shelter’s location and capacity and shall keep**  
25 **the corporation updated with the shelter’s hours and dates of opera-**  
26 **tion.**

27       **“SECTION 31.** ORS 431A.412 is amended to read:

28       “431A.412. The Department of Human Services is the lead state agency for  
29 clean air, **warming and cooling** shelter operations. The department shall:

30       “(1) Consult and collaborate with the Oregon Health Authority to align

1 practices for voluntary evacuations and emergency sheltering operations.

2 “(2) Coordinate with the authority in setting priorities for awarding  
3 grants described in ORS 431A.410.

4 “(3) Provide support to local agencies that take lead roles in operating  
5 and planning *[clean air]* shelters in the local agencies’ jurisdictions.

6 **“SECTION 32. In addition to and not in lieu of any other appropri-**  
7 **ation, there is appropriated to the Department of Human Services, for**  
8 **the biennium ending June 30, 2023, out of the General Fund, the**  
9 **amount of \$2,000,000, to provide grants for emergency shelters or fa-**  
10 **cilities that include warming or cooling under ORS 431A.410 (2)(a) or**  
11 **(b)(B).**

12  
13 **“HEALTHY HOMES PROGRAM**

14  
15 **“SECTION 33.** ORS 431A.400 is amended to read:

16 “431A.400. (1) As used in this section:

17 “(a) ‘Eligible entity’ means a:

18 “(A) Local government as defined in ORS 174.116;

19 “(B) Local housing authority;

20 “(C) Nonprofit organization;

21 “(D) Federally recognized Indian tribe in Oregon;

22 **“(E) Indian health center;**

23 “[*(E)*] **(F)** Coordinated care organization as defined in ORS 414.025;

24 “[*(F)*] **(G)** Community action agency as described in ORS 458.505; [*or*]

25 “[*(G)*] *Program administered by:*]

26 **“(H) Manufactured dwelling park nonprofit cooperative as defined**  
27 **in ORS 62.803;**

28 “[*(i)*] **(I)** An electric [*company*] **utility** as defined in ORS 757.600; or

29 “[*(ii)*] **(J)** A natural gas utility as defined in ORS 757.392.

30 “(b) ‘Environmental justice factor’ means a circumstance or condition

1 that impacts a community’s ability to achieve a balance of health, economic  
2 or environmental benefits and burdens or that impacts a community’s ability  
3 to participate in public processes.

4 “(c) ‘Grant program recipient’ means an eligible entity that has been  
5 awarded a grant from the Oregon Health Authority under this section.

6 “(d) ‘Landlord’ means a landlord, as defined in ORS 90.100, that meets  
7 eligibility criteria for a loan, grant or other financial assistance under the  
8 Healthy Homes Program as determined by the authority.

9 “(e) ‘Low income household’ means a household having an income equal  
10 to or below 80 percent of the area median family income as determined by  
11 the authority.

12 “(f) ‘Nonprofit organization’ means an organization or group of organiza-  
13 tions that is described in section 501(c)(3) of the Internal Revenue Code and  
14 is exempt from income tax under section 501(a) of the Internal Revenue Code.

15 “(g) ‘Repair and rehabilitation’ includes actions that:

16 “(A) Maximize energy efficiency of residences;

17 “(B) Extend the usable life of residences; or

18 “(C) Improve the health and safety of the occupants of residences, in-  
19 cluding:

20 “(i) Radon abatement;

21 “(ii) Lead abatement;

22 “(iii) Mold and mildew abatement;

23 “(iv) Installation of a smoke filtration system, an air purification system  
24 or ventilation or reduction of pathways for air infiltration;

25 “(v) Removal of asthma or allergen triggers;

26 “(vi) Structural or safety improvements that increase accessibility or  
27 visitability;

28 “(vii) Improvements that make homes more fire resistant; *[and]*

29 “(viii) Structural or safety improvements that promote seismic  
30 resiliency[.];

1       **“(ix) Improvements that reduce the reflection of heat on or around**  
2 **the home, including improvements related to trees, vegetation, green**  
3 **roofs or cool roofs; and**

4       **“(x) Electrical upgrades that improve the safety of the home or**  
5 **support or enable the use of energy efficiency upgrades such as heat-**  
6 **ing or cooling devices.**

7       “(h) ‘Residence’ means a dwelling that is intended for occupation by a  
8 single family and is occupied by one or more individuals who are members  
9 of a low income household as the individuals’ principal residence, including  
10 a site-built home, manufactured home, residential trailer, mobile home, con-  
11 dominium unit or unit within multifamily housing.

12       “(i) ‘Smoke filtration system’ means a residential air filtration system  
13 that meets minimum efficiency standards, as determined by the authority, for  
14 the removal of particulates and other harmful substances generated by  
15 wildfires.

16       “(2) The Healthy Homes Program is established within the Oregon Health  
17 Authority. The purpose of the program is to provide grants to eligible enti-  
18 ties that provide financial assistance to persons in low income households  
19 to repair and rehabilitate their residences and to landlords to repair and  
20 rehabilitate dwelling units inhabited by low income households.

21       “(3) To be eligible to receive grants from the Healthy Homes Program,  
22 an eligible entity must establish that it:

23       “(a) Serves or represents:

24       “(A) Communities with high concentrations of low income households; or

25       “(B) Communities impacted by environmental justice factors, including  
26 but not limited to:

27       “(i) Areas with above-average concentrations of historically disadvan-  
28 taged households or residents with low levels of educational attainment,  
29 areas with high unemployment, high linguistic isolation, low levels of  
30 homeownership or high rent burden or sensitive populations;

1 “(ii) Areas disproportionately affected by environmental pollution and  
2 other hazards that can lead to negative public health effects, exposure or  
3 environmental degradation; or

4 “(iii) Other environmental justice factors as determined by the authority.

5 “(b) Has the capacity to administer grant funds received under this sec-  
6 tion.

7 “(c) Is able to comply with the requirements of all state and federal laws,  
8 rules and regulations.

9 “(4)(a) The authority shall adopt by rule processes for eligible entities to  
10 apply to receive grants from the Healthy Homes Program. The processes may  
11 include a request for proposals.

12 “(b) The authority may adopt by rule:

13 “(A) Standards for repair and rehabilitation activities conducted by low-  
14 income households;

15 “(B) Standards for repair and rehabilitation activities conducted by land-  
16 lords;

17 “(C) Additional requirements for landlords who receive program funds;  
18 and

19 “(D) Provisions for the allocation of program funds including but not  
20 limited to allocations for types of eligible entities, types of recipients, types  
21 of housing and regions of this state.

22 “(c) The authority, in consultation with the Governor’s Policy Advisor for  
23 Economic and Business Equity, may establish by rule standards for the work  
24 performed using grants from the program to be performed by disadvantaged  
25 business enterprises, minority-owned businesses, woman-owned businesses or  
26 businesses that service-disabled veterans own, as those terms are defined in  
27 ORS 200.005.

28 “(5) Upon being awarded a grant under this section, the grant program  
29 recipient shall enter into an agreement with the authority that contains  
30 provisions that:



1 “(a) Indicate the purposes for which the grant funds may be used;

2 “(b) Prohibit the grant program recipient from using more than 15 percent  
3 of grant funds for administrative expenses and program delivery costs;

4 “(c) Include the repayment provisions set forth in subsection (6) of this  
5 section;

6 “(d) Permit the authority to conduct audits and investigations of the  
7 grant program recipient regarding the purposes for which grant funds have  
8 been used; and

9 “(e) Require the grant program recipient to provide reports as set forth  
10 in subsection (7) of this section.

11 “(6) A grant program recipient must repay to the authority, in whole or  
12 in part, grant funds received under this section to the extent that:

13 “(a) The grant program recipient does not use the grant funds in accord-  
14 ance with the provisions of the grant agreement executed between the au-  
15 thority and the grant program recipient under subsection (5) of this section;  
16 or

17 “(b) The Director of the Oregon Health Authority determines that the  
18 grant program recipient must repay all or part of the grant funds on grounds  
19 of misappropriation, fraud or similar reasons after auditing or investigating  
20 the grant program recipient’s operations and conducting a contested case  
21 hearing under ORS 183.413 to 183.470.

22 “(7) A grant program recipient shall report to the authority by June 30  
23 of each year concerning the status and use of grant funds received under this  
24 section. The report required under this section may not disclose the personal  
25 information of the recipients of loans, grants or other financial assistance  
26 under the Healthy Homes Program. The report must include:

27 “(a) A detailed description of the grant program recipient’s use of grant  
28 funds;

29 “(b) A list of each loan, grant or other financial assistance that the grant  
30 program recipient has provided and, where applicable, a full accounting of

1 the repayment status of the loans;

2 “(c) The number of low income households that the grant program recip-  
3 ient has provided financial assistance to for the repair and rehabilitation of  
4 their residences;

5 “(d) The number of landlords that the grant program recipient has pro-  
6 vided financial assistance to for the repair and rehabilitation of dwelling  
7 units;

8 “(e) The nature and amounts of the administrative expenses and program  
9 delivery costs the grant program recipient has incurred in providing the fi-  
10 nancial assistance under the program;

11 “(f) Disaggregated data concerning the income, racial or ethnic back-  
12 ground, family size and related demographic information of low income  
13 households who received financial assistance for repair and rehabilitation  
14 of residences under the program from the grant program recipient; and

15 “(g) Any other information required by the authority.

16 “(8) The authority may not pay amounts for grants under this section  
17 from any source other than available funds in the Healthy Homes Repair  
18 Fund established in ORS 431A.402.

19 “(9) Under the Healthy Homes Program, the authority may develop, or  
20 contract with public institutions of higher education or nonprofit organiza-  
21 tions to assist in developing:

22 “(a) Methods for evaluating health hazards in housing;

23 “(b) Methods for preventing and reducing health hazards in housing;

24 “(c) Performance measures for the work being performed through the fi-  
25 nancial assistance provided under the program; and

26 “(d) Recommendations for promoting the incorporation of healthy housing  
27 into ongoing practices and systems, including housing codes.”.

28 In line 22, delete “26” and insert “34”.

29 In line 28, delete “27” and insert “35”.

30