

# House Bill 2159

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of State Treasurer Tobias Read)

## 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**.

Alters supplemental reporting requirements required to be filed by State Treasurer and specified employees in office of State Treasurer to be based on best practices for state investment funds and to be comparable in scope to disclosure required for investment advisers under federal law, including under Rule 204A-1 and Investment Advisers Act of 1940. Amends employees in office of State Treasurer required to file supplemental statement.

## A BILL FOR AN ACT

1  
2 Relating to reporting requirements for persons affiliated with office of State Treasurer; amending  
3 ORS 244.055 and 244.110.

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

5 **SECTION 1.** ORS 244.055 is amended to read:

6 244.055. (1) In addition to the statement required by ORS 244.050, the State Treasurer and any  
7 person listed under ORS 244.050 (1)(r) and [*this*] subsection **(5) of this section** shall file [*quarterly*]  
8 at a time fixed by the State Treasurer a [*trading statement listing all stocks, bonds and other types*  
9 *of securities purchased or sold during the preceding quarter:*] **quarterly statement of investment**  
10 **activity that shall include all securities transactions and holdings. The contents of the**  
11 **statement shall be established by policy by the State Treasurer and must:**

12 **(a) Represent best practices for state investment funds; and**

13 **(b) Require disclosure comparable in scope to the disclosure required for investment ad-**  
14 **visers under federal law, including the Investment Advisers Act of 1940, 15 U.S.C. 80b-1 et**  
15 **seq. and 17 C.F.R. 275.204A-1.**

16 [*(a) Directors of the Cash Management Division and the Debt Management Division.*]

17 [*(b) Equities, fixed income, short term fund, real estate, equities real estate and commercial and*  
18 *mortgage real estate investment officers and assistant investment officers.*]

19 [*(c) Fixed income and short term fund investment analysts.*]

20 (2) The statement required by subsection (1) of this section shall be filed for review with the  
21 State Treasurer, the Attorney General and the Division of Audits of the office of the Secretary of  
22 State. The content of the statement is confidential.

23 (3) If the State Treasurer or the Deputy State Treasurer determines that a conflict of interest  
24 exists for an officer or employee, the State Treasurer shall subject the person to appropriate disci-  
25 pline, including dismissal or termination of the contract, or both, pursuant to rule. If the State  
26 Treasurer has cause to believe that a violation of this chapter has occurred, the State Treasurer  
27 shall file a complaint with the Oregon Government Ethics Commission under ORS 244.260.

28 (4) If the State Treasurer fails to act on an apparent conflict of interest under subsection (3)  
29 of this section or if the statement of the State Treasurer or the Deputy State Treasurer appears 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 contain a conflict of interest, the Director of the Division of Audits shall report the failure or ap-  
2 parent conflict to the Attorney General, who may file a complaint with the commission.

3 **(5) In addition to the State Treasurer and any person listed under ORS 244.050 (1)(r), the**  
4 **following persons employed within the office of the State Treasurer must file the statement**  
5 **required under this section:**

6 **(a) Debt Management Director;**

7 **(b) Finance Division Director;**

8 **(c) Chief Operating Officer;**

9 **(d) Every member of the Investment Division;**

10 **(e) Communications Director;**

11 **(f) Legislative Director;**

12 **(g) Chief Audit Executive;**

13 **(h) Senior Internal Auditor;**

14 **(i) Senior Internal Investment Auditor;**

15 **(j) Debt Management Division Deputy Director;**

16 **(k) Information Services Director;**

17 **(L) Finance Division Deputy Director;**

18 **(m) Chief Administrative Officer;**

19 **(n) Banking Operations Manager;**

20 **(o) Every member of the Legal and Compliance Division; and**

21 **(p) Any other person employed in the office of the State Treasurer identified by the State**  
22 **Treasurer by policy.**

23 **SECTION 2.** ORS 244.110 is amended to read:

24 244.110. (1) Each statement of economic interest required to be filed under ORS 244.050, 244.060,  
25 244.070 or 244.090, or by rule under ORS 244.290, and each [*trading*] **investment activity** statement  
26 required to be filed under ORS 244.055 shall be [*signed and*] certified as true by the person required  
27 to file it and shall contain a written declaration that the statement is made under the penalties of  
28 false swearing.

29 (2) A person may not [*sign and*] certify a statement under subsection (1) of this section if the  
30 person knows that the statement contains information that is false.

31 (3) Violation of subsection (2) of this section is punishable as false swearing under ORS 162.075.

32