

B-Engrossed House Bill 2757

Ordered by the House June 22
Including House Amendments dated March 17 and June 22

Sponsored by Representatives SANCHEZ, NOSSE; Representatives BYNUM, CHAICHI, DEXTER, EVANS, GAMBA, GRAYBER, HARTMAN, HELM, HOLVEY, HUDSON, MCLAIN, NELSON, NGUYEN H, PHAM H, PHAM K, REYNOLDS, RUIZ, VALDERRAMA, WALTERS, Senators DEMBROW, GOLDEN, JAMA, LIEBER, PATTERSON, PROZANSKI, SOLLMAN (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.

Expands and provides funding for coordinated crisis services system including 9-8-8 suicide prevention and behavioral health crisis hotline. **Establishes 9-8-8 Trust Fund.** Imposes **9-8-8** tax on consumers and retail subscribers who have telecommunications service or interconnected Voice over Internet Protocol service and who have prepaid telecommunications services, to pay for crisis services system. **Exempts from taxation telecommunications services provided, based on need, under plan of assistance.**

Applies to subscriber bills issued and retail transactions made on or after January 1, 2024, **and before January 1, 2030.**

Requires city to enter into memorandum of understanding with county regarding provision of mobile crisis intervention services.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to crisis services; creating new provisions; amending ORS 403.200, 403.205, 403.215, 403.235,
3 403.240, 430.627, 430.628 and 430.629; prescribing an effective date; and providing for revenue
4 raising that requires approval by a three-fifths majority.

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

6 **SECTION 1. (1) The 9-8-8 Trust Fund is established in the State Treasury, separate and**
7 **distinct from the General Fund. Interest earned by the 9-8-8 Trust Fund shall be credited**
8 **to the fund. The 9-8-8 Trust Fund consists of:**

9 (a) Revenues from the 9-8-8 coordinated crisis services tax imposed under ORS 403.200
10 (1)(b);

11 (b) Appropriations made by the Legislative Assembly;

12 (c) Federal funds allocated to the state to implement the 9-8-8 suicide prevention and
13 behavioral health crisis system;

14 (d) Gifts, grants and donations to the fund from public and private sources; and

15 (e) Moneys deposited into the fund from other sources.

16 (2) Moneys in the 9-8-8 Trust Fund are continuously appropriated to the Oregon Health
17 Authority for the purposes specified in ORS 430.627 and 430.628.

18 (3) In accordance with 47 U.S.C. 251a, moneys in the 9-8-8 Trust Fund shall be
19 sequestered and may be obligated or expended only for the purposes specified in ORS 430.627
20 and 430.628.

21 (4) Moneys in the 9-8-8 Trust Fund at the end of a biennium are retained in the fund and

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 do not revert to the General Fund and are not subject to transfer to any other fund or to
2 transfer, assignment or reassignment for any other use or purpose other than the purposes
3 specified in ORS 430.627 and 430.628.

4 (5) Moneys in the 9-8-8 Trust Fund may not be used to displace available funding for
5 services described in ORS 430.627 by Medicaid, Medicare, federal or state-regulated health
6 insurance, disability insurance or local government programs or other federal, state or local
7 funds for suicide prevention or behavioral health crisis services.

8 (6) The authority shall provide an annual report of deposits into and expenditures from
9 the 9-8-8 Trust Fund to the Legislative Assembly and to the Federal Communications Com-
10 mission.

11 **SECTION 2.** (1) The Oregon Health Authority shall provide an annual report on the re-
12 venue generated by the tax imposed under ORS 403.200 (1)(b) to the Legislative Assembly and
13 the Federal Communications Commission.

14 (2) A local government may not impose a tax, fee or surcharge on telecommunications
15 services for 9-8-8 services.

16 **SECTION 3.** ORS 430.627 is amended to read:

17 430.627. (1) The purposes of ORS 430.626 to 430.628 are to build upon and improve the statewide
18 coordinated crisis system in this state and to:

19 (a) Remove barriers to accessing quality behavioral health crisis services;

20 (b) Improve equity in behavioral health treatment and ensure culturally, linguistically and de-
21 velopmentally appropriate responses to individuals experiencing behavioral health crises, in recog-
22 nition that, historically, crisis response services placed marginalized communities at
23 disproportionate risk of poor outcomes and criminal justice involvement;

24 (c) Ensure that all residents of this state receive a consistent and effective level of behavioral
25 health crisis services no matter where they live, work or travel in the state; and

26 (d) Provide increased access to quality community behavioral health services to prevent inter-
27 actions with the criminal justice system and prevent hospitalizations[, *if appropriate, by investing*
28 *in.*].

29 (2) Moneys from the 9-8-8 Trust Fund established in section 1 of this 2023 Act shall be
30 used as follows:

31 (a) Revenues from the 9-8-8 coordinated crisis services tax that are deposited into the
32 fund shall be used only for:

33 (A) *[New technology for a]* The crisis call center system *[to triage calls and link individuals to*
34 *follow-up care]* and crisis hotline center described in subsections (4) and (5) of this section; and

35 (B) To the extent that the crisis call center system and crisis hotline center are fully
36 funded, the expansion and ongoing funding of mobile crisis intervention teams[; and].

37 (b) Moneys other than revenues from the 9-8-8 coordinated crisis services tax that are
38 deposited into the fund shall be used for:

39 [(C)] (A) A wide array of crisis stabilization services, including services provided by:

40 (i) Crisis stabilization centers;

41 (ii) Facilities offering short-term respite services;

42 (iii) Peer respite centers; and

43 (iv) Behavioral health urgent care walk-in centers; and

44 [(v) A crisis hotline center to receive calls, texts and chats from individuals or other crisis hotlines
45 to provide crisis intervention services and crisis care coordination anywhere in this state 24 hours per

1 *day, seven days per week, 365 days per year]*

2 **(B) Community mental health program provision of crisis stabilization services or fund-**
3 **ing to cities to establish or maintain one or more mobile crisis intervention teams under**
4 **ORS 430.628.**

5 [(2)] (3) The Oregon Health Authority shall adopt by rule requirements for crisis stabilization
6 centers that, at a minimum, require a center to:

7 (a) Be designed to prevent or ameliorate a behavioral health crisis or reduce acute symptoms
8 of mental illness or substance use disorder, for individuals who do not require inpatient treatment,
9 by providing continuous 24-hour observation and supervision;

10 (b) Be staffed 24 hours per day, seven days per week, 365 days per year by a multidisciplinary
11 team capable of meeting the needs of individuals in the community experiencing all levels of crisis,
12 that may include, but is not limited to:

13 (A) Psychiatrists or psychiatric nurse practitioners;

14 (B) Nurses;

15 (C) Licensed or credentialed clinicians in the region where the crisis stabilization center is lo-
16 cated who are capable of completing assessments; and

17 (D) Peers with lived experiences similar to the experiences of the individuals served by the
18 center;

19 (c) Have a policy prohibiting rejecting patients brought in or referred by first responders, and
20 have the capacity, at least 90 percent of the time, to accept all referrals;

21 (d) Have services to address substance use crisis issues;

22 (e) Have the capacity to assess physical health needs and provide needed care and a procedure
23 for transferring an individual, if necessary, to a setting that can meet the individual's physical
24 health needs if the facility is unable to provide the level of care required;

25 (f) Offer walk-in and first responder drop-off options;

26 (g) Screen for suicide risk and complete comprehensive suicide risk assessments and planning
27 when clinically indicated;

28 (h) Screen for violence risk and complete more comprehensive violence risk assessments and
29 planning when clinically indicated; and

30 (i) Meet other requirements prescribed by the authority.

31 [(3)] (4) The authority shall *establish*:

32 **(a) Implement, maintain and improve the 9-8-8 suicide prevention and behavioral health**
33 **crisis hotline and ensure the efficient and effective routing of calls, including staffing and**
34 **technological infrastructure enhancements necessary to achieve operational and clinical**
35 **standards and best practices set forth by the 988 Suicide and Crisis Lifeline and prescribed**
36 **by the authority; and**

37 **(b) Maintain** a crisis hotline center to receive calls, texts and chats from the 9-8-8 suicide pre-
38 vention and behavioral health crisis hotline and to provide crisis intervention services and crisis
39 care coordination anywhere in this state 24 hours per day, seven days per week. The crisis hotline
40 center shall:

41 [(a)] (A) Have an agreement to participate in the [*National Suicide Prevention Lifeline*] **988 Su-**
42 **icide and Crisis Lifeline** network.

43 [(b)] (B) Meet [*National Suicide Prevention Lifeline*] **988 Suicide and Crisis Lifeline** require-
44 ments and best practices guidelines for operational and clinical standards and any additional clinical
45 and operational standards prescribed by the authority.

1 [(c)] (C) Record data, provide reports and participate in evaluations and related quality im-
2 provement activities.

3 [(d)] (D) Establish formal agreements to collaborate with other agencies to ensure safe, inte-
4 grated care for people in crisis who reach out to the 9-8-8 suicide prevention and behavioral health
5 crisis hotline.

6 [(e)] (E) Contact and coordinate with the local community mental health programs for rapid
7 deployment of a local mobile crisis intervention team and follow-up services as needed.

8 [(f)] (F) Utilize technologies, including chat and text applications, to provide a no-wrong-door
9 approach for individuals seeking help from the crisis hotline and ensure collaboration among crisis
10 and emergency response systems used throughout this state, such as 9-1-1 and 2-1-1, and with other
11 centers in the [National Suicide Prevention Lifeline] **988 Suicide and Crisis Lifeline** network.

12 [(g)] (G) Establish policies and train staff on serving high-risk and specialized populations, in-
13 cluding but not limited to lesbian, gay, bisexual, transgender and queer youth, minorities, veterans
14 and individuals who have served in the military, rural residents [and], individuals with co-occurring
15 disorders **and other racially and ethnically diverse communities**. Policies and training estab-
16 lished under this [paragraph] **subparagraph** must include:

17 [(A)] (i) Policies and training on transferring calls made to the 9-8-8 suicide prevention and be-
18 havioral health crisis hotline to an appropriate specialized center within or external to the [National
19 Suicide Prevention Lifeline] **988 Suicide and Crisis Lifeline** network; and

20 [(B)] (ii) Training on providing linguistically and culturally competent care and follow-up ser-
21 vices to individuals accessing the 9-8-8 suicide prevention and behavioral health crisis hotline con-
22 sistent with guidance and policies established by the [National Suicide Prevention Lifeline] **988**
23 **Suicide and Crisis Lifeline**.

24 [(4)] (5) The staff of the crisis hotline [center described in subsection [(3)] (4) of this section
25 **must include individuals who possess the linguistic and cultural competency to respond to**
26 **individuals within the demographics of the communities served and shall:**

27 (a) Have access to the most recently reported information regarding available mental health and
28 behavioral health crisis services.

29 (b) Track and maintain data regarding responses to calls, texts and chats to the 9-8-8 suicide
30 prevention and behavioral health crisis hotline.

31 (c) Work to resolve crises with the least invasive intervention possible.

32 (d) Connect callers whose crisis is de-escalated or otherwise managed by hotline staff with ap-
33 propriate follow-on services and undertake follow-up contact with the caller when appropriate.

34 [(5)] (6) Crisis stabilization services provided to individuals accessing the 9-8-8 suicide pre-
35 vention and behavioral health crisis hotline shall be reimbursed by the authority, coordinated care
36 organizations or commercial insurance, depending on the individual's insurance status.

37 [(6)] (7) The authority shall adopt rules to allow appropriate information sharing and communi-
38 cation across all crisis service providers as necessary to carry out the requirements of this section
39 and shall work in concert with the [National Suicide Prevention Lifeline] **988 Suicide and Crisis**
40 **Lifeline** and the Veterans Crisis Line for the purposes of ensuring consistency of public messaging
41 about 9-8-8 suicide prevention and behavioral health crisis hotline services.

42 **SECTION 4.** ORS 430.628 is amended to read:

43 430.628. (1) In consultation with local community mental health programs, the Oregon Health
44 Authority shall, to the extent funding is available, require each community mental health program
45 to provide crisis stabilization services to individuals contacting the 9-8-8 suicide prevention and be-

1 havioral health crisis hotline who need crisis stabilization services in the community by enhancing
2 and expanding the use of mobile crisis intervention teams.

3 (2) A city may request funding from a county to establish and maintain one or more mobile crisis
4 intervention teams.

5 (3) Mobile crisis intervention teams must operate in compliance with rules adopted by the au-
6 thority.

7 (4) **A city that establishes and maintains a program for providing mobile crisis inter-**
8 **vention services shall administer the program in accordance with a memorandum of under-**
9 **standing entered into between the city and the county or counties in which the city is**
10 **located. A memorandum of understanding under this subsection must, at a minimum:**

11 (a) **Specify jurisdictional requirements for determining which entity will provide crisis**
12 **response services in any given circumstance;**

13 (b) **Provide that the city shall comply with rules established by the Oregon Health Au-**
14 **thority for provision of crisis intervention services; and**

15 (c) **Address the funding responsibilities of community mental health providers for crisis**
16 **intervention services.**

17 **SECTION 5.** ORS 430.629 is amended to read:

18 430.629. The Oregon Health Authority [*may*] **shall** establish [*committees*] **an advisory commit-**
19 **tee** in accordance with ORS 430.075 or assign tasks to existing agencies, boards or committees to
20 [*accomplish the planning required for*] **provide primary oversight and direction on the implemen-**
21 **tation [*or ongoing oversight of*] and operation of the statewide coordinated crisis system de-**
22 **scribed in ORS 430.626 to 430.628 and to provide guidance to the authority, gather feedback**
23 **and make recommendations regarding the planning and implementation of the 9-8-8 suicide**
24 **prevention and behavioral health crisis hotline. The advisory committee must include but is**
25 **not limited to [*in coordination with*]:**

26 (1) **Representatives of** the crisis hotline center [*established*] **maintained** under ORS 430.627
27 [(3)] **(4) and 9-1-1 call centers**, the Oregon Department of Emergency Management, local public
28 health and mental health authorities, hospitals and health systems, coordinated care organizations,
29 as defined in ORS 414.025, telecommunication providers, **law enforcement** and the [*National Suicide*
30 *Prevention Lifeline*] **988 Suicide and Crisis Lifeline** Local Mental Health Authority[,]; **and**

31 (2) Certified peer support specialists, as defined in ORS 414.025, [*9-1-1, law enforcement,*] indi-
32 viduals with lived experiences in mental illness or substance use disorder **and their family mem-**
33 **bers and caregivers**, consumers of behavioral health services, including youth and families, and
34 other stakeholders identified by the authority.

35 **SECTION 6.** ORS 403.200 is amended to read:

36 403.200. (1) There is imposed on each consumer or paying retail subscriber who has telecom-
37 munications service or interconnected Voice over Internet Protocol service, with access to the
38 emergency communications system [*a*]:

39 (a) **An emergency communications tax equal to \$1.25 per month or, for prepaid wireless**
40 **telecommunications service, \$1.25 per retail transaction; and**

41 (b) **A 9-8-8 coordinated crisis services tax equal to \$0.40 per month or, for prepaid**
42 **wireless telecommunications service, \$0.40 per retail transaction.**

43 (2) The tax must be applied on a telecommunications circuit designated for a particular con-
44 sumer or subscriber. One consumer or subscriber line must be counted for each circuit that is ca-
45 pable of generating usage on the line side of the switched network regardless of the quantity or

1 ownership of customer premises equipment connected to each circuit. For providers of central office
2 based services, the tax must be applied to each line that has unrestricted connection to the switched
3 network. Those central office based service lines that have restricted connection to the switched
4 network must be charged based on software design in the central office that restricts the number
5 of station calls to and from the network. For cellular, wireless or other common carriers, the tax
6 applies to a subscriber on a per instrument basis and only if the subscriber's place of primary use,
7 as defined under 4 U.S.C. 124, is within this state.

8 [(2)] (3) The consumer or subscriber is liable for the tax imposed by this section.

9 [(3)] (4) The amounts of tax collected by the provider or seller are considered as payment by the
10 consumer or subscriber for that amount of tax.

11 [(4)] (5) The tax imposed under this section, as it applies to prepaid wireless telecommunications
12 service, shall be collected by the seller from the consumer with respect to each retail transaction
13 occurring in this state. The amount of the tax shall be separately stated on an invoice, receipt or
14 other similar document that the seller provides to the consumer, or shall be otherwise disclosed to
15 the consumer.

16 [(5)] (6) For purposes of this section, a retail transaction:

17 (a) Occurs in this state if it is made in person by a consumer at a business location of the seller;

18 (b) If not made in person by a consumer at a business location of the seller, occurs in this state
19 if the consumer's shipping address, payment instrument billing address, or other address provided
20 by the consumer for purposes of the transaction, is in this state; or

21 (c) If insufficient information exists to determine whether paragraph (a) or (b) of this subsection
22 is accurate, occurs in this state if the consumer's prepaid wireless telephone number is associated
23 with an Oregon location.

24 [(6)] (7) Any return made by the provider or seller collecting the tax must be accepted by the
25 Department of Revenue as evidence of payments by the consumer or subscriber of amounts of tax
26 so indicated upon the return.

27 **SECTION 7.** ORS 403.205 is amended to read:

28 403.205. The tax imposed by ORS 403.200:

29 (1) Does not apply to:

30 [(1)] (a) Services that the state is prohibited from taxing under the Constitution or laws of the
31 United States or the Constitution or laws of the State of Oregon.

32 [(2)] (b) Interconnection between telecommunications utilities and competitive access providers
33 certified pursuant to ORS 759.020, common carriers and interexchange carriers.

34 **(2) As imposed under ORS 403.200 (1)(b), does not apply to services provided under the**
35 **plan of assistance established under section 6, chapter 290, Oregon Laws 1987.**

36 **SECTION 8.** ORS 403.215 is amended to read:

37 403.215. (1) The provider or seller is responsible for collecting the tax under ORS 403.200 and
38 shall file a return with the Department of Revenue on or before the last day of the month following
39 the end of each calendar quarter, reporting the amount of tax due [*for access to the emergency com-*
40 *munications system*] during the quarter, **with the tax due under ORS 403.200 (1)(a) and (b) stated**
41 **separately.** The department shall prescribe the form of the return required by this section and ORS
42 403.210. The rules of the department must require that returns be made under penalties for false
43 swearing.

44 (2) When a return of the tax is required under ORS 403.210 or subsection (1) of this section, the
45 provider or seller required to make the return shall remit the tax due to the department at the time

1 fixed for filing the return.

2 (3) A provider or seller described in subsection (1) of this section may elect to pay the tax based
3 on either of the following:

4 (a) The amount of tax actually collected during the quarter; or

5 (b) The net amount of tax billed during the quarter. The net amount billed equals the gross
6 amount of tax billed less adjustments for uncollectible accounts, refunds, incorrect billings and other
7 appropriate adjustments.

8 (4) Once a provider or seller has made an election under subsection (3) of this section, the pro-
9 vider or seller may not change the method of payment and reporting unless the provider or seller
10 first obtains the permission of the department.

11 **SECTION 9.** ORS 403.235 is amended to read:

12 403.235. (1) The Emergency Communications Account is established in the State Treasury, sep-
13 arate and distinct from the General Fund. All moneys received by the Department of Revenue pur-
14 suant to ORS 403.200 to 403.230 and interest thereon must be paid to the State Treasurer to be held
15 in a suspense account established under ORS 293.445.

16 (2) After payment of refunds[,]:

17 (a) **Moneys necessary to reimburse the Department of Revenue for the actual costs in-**
18 **curred by the department in administering the 9-8-8 coordinated crisis services tax, not to**
19 **exceed 0.6 percent of tax collections under ORS 403.200 (1)(b), are continuously appropriated**
20 **to the department; and**

21 (b) The balance of the moneys received must be paid into the State Treasury and credited to
22 the:

23 (A) Emergency Communications Account **with respect to tax paid under ORS 403.200 (1)(a);**
24 **and**

25 (B) **9-8-8 Trust Fund established in section 1 of this 2023 Act with respect to tax paid**
26 **under ORS 403.200 (1)(b).**

27 (3) Interest earned by the **Emergency Communications** Account must be credited to the 9-1-1
28 Subaccount established under subsection [(2)] (4) of this section. All moneys in the Emergency
29 Communications Account are continuously appropriated to the Oregon Department of Emergency
30 Management and must be used for the purposes described in ORS 403.240.

31 [(2)] (4) The 9-1-1 Subaccount is established as a subaccount of the Emergency Communications
32 Account. Thirty-five percent of the amount in the Emergency Communications Account on the date
33 of distribution must be credited to the 9-1-1 Subaccount. Interest earned by the subaccount must be
34 credited to the subaccount. All moneys in the subaccount are continuously appropriated to the
35 Oregon Department of Emergency Management and must be used for the purposes described in ORS
36 403.240 (3), (4) and (5).

37 **SECTION 10.** ORS 403.240 is amended to read:

38 403.240. (1) The Oregon Department of Emergency Management shall distribute quarterly the
39 entire amount of the moneys in the Emergency Communications Account. The department shall pay
40 the following amounts from the account:

41 (a) Administrative costs incurred during the preceding calendar quarter by the Department of
42 Revenue in carrying out ORS 403.200 to 403.230 in an amount that does not exceed six-tenths of one
43 percent of the amount in the account on the date of distribution, or actual expenses incurred by the
44 department, whichever is less.

45 (b) Administrative costs to be incurred during the calendar quarter by the Oregon Department

1 of Emergency Management in carrying out its duties under ORS 305.823 and 403.105 to 403.250. The
2 amount to be paid under this paragraph may not exceed 2.4 percent of the amount in the account
3 on the date of distribution, and, on or before the next date of distribution, the department shall re-
4 pay to the account any amount received under this paragraph that exceeds the actual expenses in-
5 curred by the department in the quarter.

6 (2) The department may:

7 (a) Provide funding for the Oregon Emergency Response System in an amount that does not
8 exceed 15 percent of the legislatively approved budget for the Oregon Emergency Response System
9 subject to availability of funds within the limit for administrative costs in subsection (1)(b) of this
10 section.

11 (b) Prescribe the manner in which funding is provided to the Oregon Emergency Response Sys-
12 tem under this subsection.

13 (3) The department shall use funds in the 9-1-1 Subaccount to pay for costs incurred during the
14 preceding calendar quarter for emergency communications services provided by a 9-1-1 jurisdiction
15 under ORS 403.105 to 403.250. The department may not disburse funds in the 9-1-1 Subaccount to a
16 9-1-1 jurisdiction that does not have an approved 9-1-1 jurisdiction plan under ORS 403.130. The
17 department shall make payments for costs of the emergency communications system on behalf of a
18 9-1-1 jurisdiction, or make reimbursement to the 9-1-1 jurisdiction for such costs, only after a re-
19 imbursement or payment request has been submitted to the department in the manner prescribed
20 by the department. Reimbursement or payment requests for recurring and nonrecurring charges
21 necessary to enable the 9-1-1 jurisdiction to comply with ORS 403.105 to 403.250 must be submitted
22 directly to the department. The costs reimbursable or payable under this subsection are only those
23 costs incurred for:

24 (a) Modification of network routers or servers, central office switching and trunking equipment
25 or other transport equipment;

26 (b) Network development, hosting services, operation and maintenance;

27 (c) Database development, operation and maintenance;

28 (d) On-premises equipment procurement, maintenance and replacement;

29 (e) Conversion of pay station telephones required by ORS 403.140;

30 (f) Collection of the **emergency communications** tax imposed by ORS [403.200 to 403.230]
31 **403.200 (1)(a)**;

32 (g) Addressing if the reimbursement or payment request is consistent with rules adopted by the
33 department; and

34 (h) An employee of a 9-1-1 jurisdiction obtaining certification as a telecommunicator or emer-
35 gency medical dispatcher from the Department of Public Safety Standards and Training under ORS
36 181A.560.

37 (4) Subject to availability of funds, the Oregon Department of Emergency Management shall
38 provide funding to 9-1-1 jurisdictions based on cost information provided in their final plan under
39 ORS 403.130. The department shall approve 9-1-1 jurisdiction plans that meet the requirements set
40 forth in ORS 403.115 (2) and (4). The department shall limit funding for costs incurred prior to the
41 preceding calendar quarter to charges associated with database development, network and on-
42 premises equipment that satisfies the requirements of ORS 403.115 (2) and (4). The department shall
43 prescribe the manner in which funding is provided under this subsection.

44 (5) 9-1-1 jurisdictions may use funds distributed to the jurisdiction from an account or subac-
45 count established in ORS 403.235 to repay loans from the Special Public Works Fund if the loans

1 were used for purposes that are allowable under ORS 403.105 to 403.250.

2 (6) The department shall retain amounts remaining in the 9-1-1 Subaccount and may distribute
3 the amounts in a subsequent quarter for those purposes set forth in subsections (3), (4) and (5) of
4 this section.

5 (7) The department shall review reimbursement or payment requests for costs identified in sub-
6 section (3) of this section, necessary to comply with ORS 403.105 to 403.250, for the appropriateness
7 of the costs claimed. The department shall approve or reject the reimbursement or payment requests.

8 (8) After all amounts under subsections (1) and (2) of this section and ORS 403.235 [(2)] (4) have
9 been paid, the department shall allocate the balance of the Emergency Communications Account to
10 cities on a per capita basis and to counties on a per capita basis of each county's unincorporated
11 area for distribution directly to 9-1-1 jurisdictions as directed by the city or county. However, each
12 county must be credited a minimum of one percent of the balance of the account after the amounts
13 under subsections (1) and (2) of this section and ORS 403.235 [(2)] (4) have been paid.

14 (9) 9-1-1 jurisdictions shall submit an accounting report to the department annually. The report
15 must be provided in the manner prescribed by the department and must include but not be limited
16 to:

17 (a) Funds received and expended under subsection (8) of this section for the purposes of fulfilling
18 the requirements of ORS 403.115;

19 (b) Local funds received and expended for the purposes of fulfilling the requirements of ORS
20 403.115; and

21 (c) Local funds received and expended for the purposes of providing emergency communications
22 services.

23 **SECTION 11. Section 2 of this 2023 Act and the amendments to ORS 403.200 and 403.205**
24 **by sections 6 and 7 of this 2023 Act apply to subscriber bills issued and to retail transactions**
25 **made on or after January 1, 2024, and before January 1, 2030.**

26 **SECTION 12. This 2023 Act takes effect on the 91st day after the date on which the 2023**
27 **regular session of the Eighty-second Legislative Assembly adjourns sine die.**

28