

# House Bill 2853

Sponsored by Representative EVANS (Pre-session filed.)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Establishes Oregon Individual Assistance Grant Account as account in Oregon Disaster Response Fund. Continuously appropriates moneys in account to Oregon Department of Emergency Management for assistance to individuals and households following emergencies.

## A BILL FOR AN ACT

1  
2 Relating to emergency management; creating new provisions; and amending ORS 401.025 and  
3 401.534.

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

5 **SECTION 1.** ORS 401.025 is amended to read:

6 401.025. As used in this chapter:

7 (1) "Emergency" means a human created or natural event or circumstance that causes or  
8 threatens widespread loss of life, injury to person or property, human suffering or financial loss,  
9 including but not limited to:

10 (a) Fire, wildfire, explosion, flood, severe weather, landslides or mud slides, drought, earthquake,  
11 volcanic activity, tsunamis or other oceanic phenomena, spills or releases of oil or hazardous mate-  
12 rial as defined in ORS 466.605, contamination, utility or transportation emergencies, disease, blight,  
13 infestation, civil disturbance, riot, sabotage, acts of terrorism and war; and

14 (b) A rapid influx of individuals from outside this state, a rapid migration of individuals from  
15 one part of this state to another or a rapid displacement of individuals if the influx, migration or  
16 displacement results from the type of event or circumstance described in paragraph (a) of this sub-  
17 section.

18 (2) "Emergency service agency" means an organization within a local government that performs  
19 essential services for the public's benefit before, during or after an emergency, such as law  
20 enforcement, fire control, health, medical and sanitation services, public works and engineering,  
21 public information and communications.

22 (3) "Emergency services" means activities engaged in by state and local government agencies  
23 to prepare for an emergency and to prevent, minimize, respond to or recover from an emergency,  
24 including but not limited to coordination, preparedness planning, training, interagency liaison, fire  
25 fighting, oil or hazardous material spill or release cleanup as defined in ORS 466.605, law enforce-  
26 ment, medical, health and sanitation services, engineering and public works, search and rescue ac-  
27 tivities, warning and public information, damage assessment[,] **and** administration and fiscal  
28 management[, *and those measures defined as "civil defense" in 50 U.S.C. app. 2252*].

29 (4) "Local government" has the meaning given that term in ORS 174.116.

30 (5) "Major disaster" means any event defined as a "major disaster" under 42 U.S.C. 5122(2).

31 **(6) "State-declared emergency" means an emergency that is the subject of a declaration**

**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 of a state of emergency under this chapter.

2 **SECTION 2.** ORS 401.534 and 401.536 and section 3 of this 2023 Act are added to and made  
3 a part of ORS chapter 401.

4 **SECTION 3.** (1) The Oregon Individual Assistance Grant Account is established as an  
5 account in the Oregon Disaster Response Fund. The account consists of moneys appropri-  
6 ated by the Legislative Assembly for deposit in the account and any other moneys deposited  
7 into the account pursuant to law.

8 (2) Moneys in the account are continuously appropriated to the Oregon Department of  
9 Emergency Management for:

10 (a) Providing grants to individuals and households for basic emergency assistance costs  
11 following state-declared emergencies that are not federally declared disasters;

12 (b) Providing grants to individuals and households who are ineligible or otherwise unable  
13 to apply for federal individual assistance disaster grants for basic emergency assistance costs  
14 following state-declared emergencies that are federally declared disasters;

15 (c) Providing crisis counseling services, disaster case management and legal services re-  
16 lating to state-declared emergencies to individuals and households;

17 (d) Providing grants to locally established long-term recovery groups following state-  
18 declared emergencies; and

19 (e) Paying costs associated with the coordination and distribution of assistance described  
20 in this section.

21 (3) The department may adopt rules necessary for the administration of this section.

22 (4) As used in this section, “basic emergency assistance costs” includes shelter, trans-  
23 portation, repairs and other immediate needs following an emergency.

24 **SECTION 4.** ORS 401.534 is amended to read:

25 401.534. (1) The Oregon Disaster Response Fund is established in the State Treasury, separate  
26 and distinct from the General Fund. Moneys received from federal grants for disaster response ef-  
27 forts shall be deposited into the Oregon Disaster Response Fund. Moneys in the fund are contin-  
28 uously appropriated to the Oregon Department of Emergency Management to be used to:

29 (a) Help state agencies and local government units with immediate disaster response and re-  
30 recovery efforts related to federally declared disasters **or state-declared emergencies** in this state;  
31 and

32 (b) Implement long-term hazard mitigation measures after a federally declared disaster **or**  
33 **state-declared emergency** in this state during the period of immediate recovery from the disaster  
34 **or emergency**.

35 (2) The Oregon Disaster Response Fund may receive gifts, grants, bequests, endowments and  
36 donations from public and private sources for purposes related to the fund.

37 (3) The department shall adopt rules for the disbursement of moneys from the Oregon Disaster  
38 Response Fund.

39 (4) If there are expenditures from the Oregon Disaster Response Fund, the Director of the  
40 Oregon Department of Emergency Management shall report to the Emergency Board, or to the  
41 Legislative Assembly if it is in session, on:

42 (a) The nature and severity of the disaster **or emergency**;

43 (b) The actual and projected deposits into the fund;

44 (c) The sources of actual and projected expenditures from the fund;

45 (d) The nature of in-kind donations received; and

1 (e) The rationale for expenditures and allocation of payments to state agencies and local gov-  
2 ernment units.

3 (5) Following the final expenditure for a particular disaster **or emergency**, the director shall  
4 issue a final report to the Emergency Board, or to the Legislative Assembly if it is in session. The  
5 report must include an aggregate description of the factors described in subsection (4) of this sec-  
6 tion.

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