

# Enrolled House Bill 2921

Sponsored by Representatives NELSON, BYNUM, Senator JAMA; Representatives CHAICHI, DEXTER, HOLVEY, PHAM K, Senators CAMPOS, FREDERICK, MEEK (Presession filed.)

CHAPTER .....

AN ACT

Relating to hospital workforces.

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

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

- (a) "Hospital" has the meaning given that term in ORS 442.015.
- (b) "Report" means any report or survey showing the demographics of an employer's workforce by race, ethnicity, sex and job categories, that is required by:
  - (A) The United States Equal Employment Opportunity Commission in accordance with 42 U.S.C. 2000e-8(c); or
  - (B) The United States Department of Education in accordance with 20 U.S.C. 1094.
- (2) No later than 90 days after a hospital's annual report is due to the United States Equal Employment Opportunity Commission or the United States Department of Education, the hospital shall file a copy of the hospital's report with the Commissioner of the Bureau of Labor and Industries.
- (3) The commissioner shall post the reports submitted under subsection (2) of this section to the website of the Bureau of Labor and Industries.
- (4) The Oregon Health Authority shall annually provide to the commissioner a list of all hospitals required to file a report.
- (5) If the commissioner determines that a hospital has failed to file a report as required by this section, the commissioner may assess a civil penalty in an amount prescribed by section 2 of this 2023 Act.
- (6) The commissioner may extend the deadline for filing reports under subsection (2) of this section if the extension is requested prior to the deadline.
- (7) The commissioner shall prescribe by rule:
  - (a) The form and manner for filing reports under subsection (2) of this section; and
  - (b) The procedure for extending the deadline for filing reports under subsection (6) of this section.

**SECTION 2.** (1) Civil penalties under section 1 of this 2023 Act shall be imposed in accordance with ORS 183.745 and may not exceed \$500 for each day of noncompliance.

(2) All sums collected as civil penalties under this section must first be applied toward reimbursement of the costs incurred in determining the violations, conducting hearings and assessing and collecting the penalty. The remainder, if any, shall be paid over by the Commissioner of the Bureau of Labor and Industries to the Department of State Lands for the

**benefit of the Common School Fund. The department shall issue a receipt for the moneys to the commissioner.**

**Passed by House April 13, 2023**

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Timothy G. Sekerak, Chief Clerk of House

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Dan Rayfield, Speaker of House

**Passed by Senate June 21, 2023**

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Rob Wagner, President of Senate

**Received by Governor:**

.....M,....., 2023

**Approved:**

.....M,....., 2023

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Tina Kotek, Governor

**Filed in Office of Secretary of State:**

.....M,....., 2023

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Secretary of State