

Enrolled
House Bill 3532

Sponsored by Representatives GOMBERG, NOSSE; Representatives BYNUM, KROPF, LEVY E, Senators ANDERSON, PATTERSON (at the request of Oregon Business Development Department)

CHAPTER

AN ACT

Relating to the Trust for Cultural Development Account; amending ORS 359.426, 359.441 and 359.444.

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

SECTION 1. ORS 359.426 is amended to read:

359.426. (1) Under the direction of the Trust for Cultural Development Board, each fiscal year the Arts Program shall disburse no less than 50 percent, but no more than 60 percent, of all moneys raised for and deposited in the Trust for Cultural Development Account during the previous fiscal year, and all interest earned on the moneys, as of July 1.

[(2)(a) *The Arts Program may use up to \$400,000 of the total amount disbursed from the account per fiscal year under subsection (1) of this section for:*]

[(A) *Supporting the operations of the account;*]

[(B) *Facilitating technical assistance;*]

[(C) *Local cultural planning; and*]

[(D) *Other activities that encourage cultural activity.*]

[(b) *Each year, the \$400,000 limitation contained in paragraph (a) of this subsection shall be adjusted by multiplying \$400,000 by the percentage, if any, by which the monthly averaged U.S. City Average Consumer Price Index for All Urban Consumers (All Items), as published by the Bureau of Labor Statistics of the United States Department of Labor, for the 12 consecutive months ending June 30 of the current calendar year, exceeds the monthly averaged U.S. City Average Consumer Price Index for the 12 consecutive months ending June 30, 2015.*]

[(3)] (2) The amount determined under subsection (1) of this section[, *less the amount authorized under subsection (2) of this section,*] shall be distributed as follows:

(a) 50 percent to the preservation of, stabilization of and investment in Oregon’s cultural resources through the Cultural Development Grant Program as provided under ORS 359.431.

(b) 25 percent to Oregon’s counties and to the nine federally recognized Indian tribes through the Community Cultural Participation Grant Program as provided under ORS 359.436.

(c) 25 percent to the core partner agencies as provided under ORS 359.441.

(3) Each fiscal year, the Arts Program shall assess the total value of the Trust for Cultural Development Account for the previous fiscal year and may distribute up to five percent of that value for administrative purposes, including:

(a) Supporting the operations of the Trust for Cultural Development Board and the Trust for Cultural Development Account;

- (b) Facilitating technical assistance;**
- (c) Local cultural planning; and**
- (d) Other activities that encourage cultural activity.**

SECTION 2. ORS 359.441 is amended to read:

359.441. (1) The Arts Program, under the direction of the Trust for Cultural Development Board, shall distribute the amount disbursed from the Trust for Cultural Development Account under ORS 359.426 [(3)(c)] (2)(c) to the core partner agencies as follows:

(a) The Arts Program shall allocate 20 percent of the amount disbursed under ORS 359.426 [(3)(c)] (2)(c) for joint efforts by the core partner agencies in fostering cooperative cultural projects, including but not limited to cultural education, cultural tourism and other cultural activities.

(b) The Arts Program shall allocate 80 percent of the amount disbursed under ORS 359.426 [(3)(c)] (2)(c) to the core partner agencies for the purposes described in ORS 359.444. The Trust for Cultural Development Board shall determine the amount or percent of available funds that each core partner agency shall receive under this paragraph.

(2) The core partner agencies are not eligible to apply for grants from the Community Cultural Participation Grant Program or the Cultural Development Grant Program.

SECTION 3. ORS 359.444 is amended to read:

359.444. (1) A core partner agency may use funds received under ORS 359.426 [(3)(c)] (2)(c) to:

- (a) Carry out the mission and mandate of the agency;
- (b) Serve more grantees; and
- (c) Encourage new cultural undertakings.

(2) Each core partner agency shall expend a portion of the amount received under ORS 359.426 [(3)(c)] (2)(c) as determined by the Trust for Cultural Development Board each fiscal year to fund development of qualitative benchmarks and culture within Oregon. The evaluation of benchmarks may be done in partnership with one or more higher education institutions in Oregon. It is intended that this partnership will stimulate research and investigation of the ways in which culture and related cultural policy will impact the state over a 10-year period.

Passed by House April 14, 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 22, 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