

HOUSE AMENDMENTS TO HOUSE BILL 5046

By JOINT COMMITTEE ON WAYS AND MEANS

April 18

1 Delete lines 4 through 15 of the printed bill and insert:

2 **“SECTION 1. As used in sections 1 to 4 of this 2023 Act, ‘state agency’ means every state**
3 **officer, board, commission, department, institution, branch or agency of the state govern-**
4 **ment, the costs of which are paid wholly or in part from funds held in the State Treasury.**

5 **“SECTION 2. (1) Notwithstanding ORS 291.232 to 291.260, and subject to section 5 of this**
6 **2023 Act and any rule that may be adopted by the Oregon Department of Administrative**
7 **Services, any obligations incurred by a state agency on or after July 1, 2023, that do not ex-**
8 **ceed the level of expenditures authorized under ORS 291.232 to 291.260 or otherwise author-**
9 **ized for the last quarter of the 2021-2023 biennium are authorized, and necessary funds are**
10 **appropriated therefor, unless the Oregon Department of Administrative Services determines**
11 **that the state agency’s expenditure level should be modified, based on pending legislation.**

12 **“(2) The Oregon Department of Administrative Services by rule shall specify the means**
13 **whereby funds expended pursuant to subsection (1) of this section or section 5 of this 2023**
14 **Act are reconciled and charged to the state agency’s 2023-2025 legislatively approved budget**
15 **during the 2023-2025 biennium.**

16 **“(3) All payments for debt service, certificates of participation and other financing**
17 **agreements are hereby authorized during the period commencing July 1, 2023.**

18 **“SECTION 3. Sections 1 to 5 of this 2023 Act apply to a state agency for which no budget**
19 **has become law on or before July 1, 2023.**

20 **“SECTION 4. (1)(a) If there is no 2023-2025 legislatively adopted budget upon final**
21 **adjournment of the regular session of the Eighty-second Legislative Assembly against which**
22 **any expenditure authorized by section 2 (1) or 5 of this 2023 Act can be applied, the expend-**
23 **iture shall be considered to have been made from funds appropriated to the Oregon Depart-**
24 **ment of Administrative Services.**

25 **“(b) For the purpose of paying the incurred expenses of state agencies, there is appro-**
26 **priated to the Oregon Department of Administrative Services any cash or other funds re-**
27 **maining in the accounts of the state agency for which no budget has been adopted and for**
28 **which no expenditure authority exists when the Legislative Assembly adjourns sine die.**

29 **“(c) The Oregon Department of Administrative Services may apply for reimbursement**
30 **from the Emergency Board of any expenditure made under this subsection during the**
31 **2023-2025 biennium.**

32 **“(2)(a) If, after final adjournment of the regular session of the Eighty-second Legislative**
33 **Assembly, the Governor vetoes a legislatively adopted budget against which any expenditure**
34 **authorized by section 2 (1) or 5 of this 2023 Act can be applied, the expenditure shall be**
35 **considered to have been made from funds appropriated to the Oregon Department of Ad-**

1 **ministrative Services.**

2 **“(b) For the purpose of paying the incurred expenses of state agencies, there is appro-**
3 **riated to the Oregon Department of Administrative Services any cash or other funds re-**
4 **maining in the accounts of the state agency for which a legislatively adopted budget has been**
5 **vetoed and for which no expenditure authority exists when the Governor vetoes the budget.**

6 **“(c) The Oregon Department of Administrative Services may apply for reimbursement**
7 **from the Emergency Board of any expenditure made under this subsection during the**
8 **2023-2025 biennium.**

9 **“SECTION 5. (1) Notwithstanding ORS 291.232 to 291.260 and section 2 of this 2023 Act,**
10 **and subject to any rule that may be adopted by the Oregon Department of Administrative**
11 **Services, any obligations incurred by the Department of Human Services on or after July 1,**
12 **2023, that do not exceed the level of expenditures authorized under ORS 291.232 to 291.260**
13 **or otherwise authorized for the sixth quarter of the 2021-2023 biennium are authorized, and**
14 **necessary funds are appropriated therefor, unless the Oregon Department of Administrative**
15 **Services determines that the expenditure level for the Department of Human Services should**
16 **be modified, based on pending legislation.**

17 **“(2) Notwithstanding ORS 291.232 to 291.260 and section 2 of this 2023 Act, and subject**
18 **to any rule that may be adopted by the Oregon Department of Administrative Services, any**
19 **obligations incurred by the Oregon Health Authority on or after July 1, 2023, that do not**
20 **exceed the level of expenditures authorized under ORS 291.232 to 291.260 or otherwise au-**
21 **thorized for the fourth quarter of the 2021-2023 biennium are authorized, and necessary funds**
22 **are appropriated therefor, unless the Oregon Department of Administrative Services deter-**
23 **mines that the expenditure level for the Oregon Health Authority should be modified, based**
24 **on pending legislation.**

25 **“SECTION 6. Sections 1 to 5 of this 2023 Act are repealed on September 15, 2023.**

26 **“SECTION 7. This 2023 Act being necessary for the immediate preservation of the public**
27 **peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect**
28 **July 1, 2023.”.**