

Senate Bill 574

Sponsored by Senator GELSER BLOUIN; Senators DEMBROW, THATCHER, Representatives HUDSON, MCLAIN
(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**.

Prohibits use of public funds for out-of-state residential placement of students. Creates exceptions. Directs Department of Education to adopt rules.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to out-of-state residential placements of students; and declaring an emergency.

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

4 **SECTION 1. (1) As used in this section, "public funds" means moneys drawn from the**
5 **State Treasury or any special or trust fund of the state government, including any moneys**
6 **appropriated by the state government and transferred to any public body, as defined in ORS**
7 **174.109, and any other moneys under the control of a public official by virtue of office.**

8 **(2) Public funds may not be used, in whole or in part, for the out-of-state residential**
9 **placement of a student in a public or private program or facility unless:**

10 **(a) The Department of Education has entered into a contract with the public or private**
11 **program or facility and the contract satisfies the requirements established by the depart-**
12 **ment by rule; and**

13 **(b) The public or private program or facility is licensed by the Department of Human**
14 **Services pursuant to ORS 418.321 (2).**

15 **(3) The Department of Education shall adopt rules describing the requirements of a**
16 **contract described in subsection (2) of this section. The rules must, at a minimum, require**
17 **that any contract entered into by the department and a public or private program or facility**
18 **meet the same requirements as contracts between the Department of Human Services and**
19 **out-of-state child-caring agencies under ORS 418.321 (3).**

20 **(4) The provisions of this section do not apply to the out-of-state residential placement**
21 **of a student in a public education program that is designated as a state school for the deaf**
22 **or a state school for the blind, provided that the program meets the standards of an equiv-**
23 **alent program in this state.**

24 **SECTION 2. This 2023 Act being necessary for the immediate preservation of the public**
25 **peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect**
26 **on its passage.**

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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.