

SENATE AMENDMENTS TO SENATE BILL 913

By COMMITTEE ON LABOR AND BUSINESS

March 21

1 On page 1 of the printed bill, delete lines 6 through 22 and delete pages 2 through 15 and insert:

2 **“SECTION 1. Section 2 of this 2023 Act is added to and made a part of ORS chapter 657B.**

3 **“SECTION 2. (1) When a request for a hearing is made under this chapter, the Director**
4 **of the Employment Department may dismiss the request or application for hearing if:**

5 **“(a) The request for hearing is withdrawn by the requesting party;**

6 **“(b) The matter is resolved by reversal or amendment of the decision that is the subject**
7 **of the hearing request;**

8 **“(c) The request for hearing is filed prior to the date of the written decision or written**
9 **determination that is the subject of the hearing request; or**

10 **“(d) The request for hearing is made by a person who is not entitled to a hearing or is**
11 **not the authorized representative of a party who is entitled to a hearing.**

12 **“(2)(a) A dismissal by the director under subsection (1) of this section is final unless the**
13 **party whose request for hearing has been dismissed files a request for hearing regarding the**
14 **dismissal within 20 days after the dismissal notice is sent electronically or mailed to the**
15 **party’s last-known address.**

16 **“(b) If the party files a timely request under paragraph (a) of this subsection, the hearing**
17 **regarding the dismissal shall be assigned to an administrative law judge from the Office of**
18 **Administrative Hearings.**

19 **“(c) The administrative law judge assigned under paragraph (b) of this subsection shall**
20 **determine whether the dismissal was appropriately entered. If the dismissal was not appro-**
21 **priately entered, the administrative law judge shall decide the underlying issue upon which**
22 **the hearing was requested.**

23 **“SECTION 3. ORS 657B.090 is amended to read:**

24 **“657B.090. (1) Family and medical leave insurance benefits are not payable to a covered indi-**
25 **vidual unless:**

26 **“(a) The individual submits a claim to the Director of the Employment Department in the man-**
27 **ner determined by the director by rule; and**

28 **“(b) The director has made a decision to allow or deny the claim under ORS 657B.100.**

29 **“(2) If the director has made a decision to allow the claim, the director shall make a reasonable**
30 **effort to issue the first payment of benefits to a covered individual within two weeks after receiving**
31 **the claim.**

32 **“(3)(a) Benefits may be claimed for leave that is taken by a covered individual in increments**
33 **that are equivalent to one work day or one work week as those terms are defined by the director**
34 **by rule.**

35 **“(b) If a covered individual takes leave in increments that are equivalent to one work day,**

1 benefits may be claimed for leave that occurs in nonconsecutive periods of leave [*that, when com-*
2 *bined, provide the minimum benefit amount provided in ORS 657B.050*].

3 “(4) Benefit amounts, as determined under ORS 657B.050:

4 “(a) Must be prorated to increments that are equivalent to one work day; and

5 “(b) Must be paid in increments that are equivalent to one work week.

6 “**SECTION 4.** ORS 657B.015 is amended to read:

7 “657B.015. Family and medical leave insurance benefits are available to any of the following
8 during a period of family leave, medical leave or safe leave:

9 “(1) An eligible employee who:

10 “(a) During the base year or alternate base year, as applicable, contributes to the Paid Family
11 and Medical Leave Insurance Fund established under ORS 657B.430 in accordance with ORS
12 657B.150; and

13 “(b) Submits a claim for benefits in accordance with the requirements under ORS 657B.090;

14 “(2) A self-employed individual who:

15 “(a)(A) **Has earned at least \$1,000 in taxable income during the base year; or**

16 “(B) **Has not earned at least \$1,000 in taxable income during the base year, but who has**
17 **earned at least \$1,000 in taxable income during the alternate base year;**

18 “[*a*] (b) Elects coverage under ORS 657B.130; [*and*]

19 “[*b*] (c) During the base year or alternate base year, as applicable, contributes to the Paid
20 Family and Medical Leave Insurance Fund established under ORS 657B.430 an amount determined
21 by the Director of the Employment Department under ORS 657B.150; [*or*] **and**

22 “(d) **Submits a claim for benefits in accordance with the requirements under ORS**
23 **657B.090; or**

24 “(3) An employee of a tribal government, if:

25 “(a)(A) **The employee has earned at least \$1,000 in wages during the base year; or**

26 “(B) **The employee has not earned at least \$1,000 in wages during the base year, but has**
27 **earned at least \$1,000 in wages during the alternate base year;**

28 “[*a*] (b) The tribal government elects coverage for its employees under ORS 657B.130; [*and*]

29 “[*b*] (c) During the base year or alternate base year, as applicable, the employee and tribal
30 government contribute to the Paid Family and Medical Leave Insurance Fund established under ORS
31 657B.430 an amount determined by the director under ORS 657B.150[.]; **and**

32 “(d) **Submits a claim for benefits in accordance with the requirements under ORS**
33 **657B.090.**

34 “**SECTION 5.** ORS 657B.150 is amended to read:

35 “657B.150. (1)(a) Except as otherwise provided in subsections (3) and (4) of this section **and ORS**
36 **657B.210 (4)**, all employers and [*eligible*] employees shall contribute to the Paid Family and Medical
37 Leave Insurance Fund established under ORS 657B.430.

38 “(b) Contributions shall be paid by employers and employees as a percentage of a total rate
39 determined by the Director of the Employment Department.

40 “(c) The total rate may not exceed one percent of employee wages, up to a maximum of \$132,900
41 in wages.

42 “(2)(a) Employer contributions shall be paid in an amount that is equal to 40 percent of the total
43 rate determined by the director.

44 “(b) An employer shall deduct employee contributions from the wages of each employee in an
45 amount that is equal to 60 percent of the total rate determined by the director.

1 “(3) When an employment agency is acting as an employer, the employer contributions required
2 under this section shall be the responsibility of the employment agency.

3 “(4)(a) Employers that employ fewer than 25 employees are not required to pay the employer
4 contributions under subsection (1) of this section.

5 “(b) If an employer that employs fewer than 25 employees elects to pay the employer contribu-
6 tions under subsection (1) of this section, the employer may apply to receive a grant under ORS
7 657B.200.

8 “(5) Notwithstanding subsection (1) of this section, an employer may elect to pay the required
9 employee contributions, in whole or in part, as an employer-offered benefit.

10 “(6) Subject to ORS 657B.130 (2) and (3), a self-employed individual who has elected coverage
11 under ORS 657B.130 (1) shall contribute to the fund, at a rate that may not exceed one percent of
12 the individual’s taxable income as determined by the director by rule, for a period of not less than
13 three years from the date that the election becomes effective.

14 “(7) A tribal government that elects coverage under ORS 657B.130 and employees of the tribal
15 government shall contribute to the fund in contribution amounts and at a rate that may not exceed
16 one percent of employee wages, up to a maximum of \$132,900 in wages, as determined by the direc-
17 tor by rule, for a period of not less than three years from the date that the election becomes effec-
18 tive.

19 “(8) The director shall set rates for the collection of payroll contributions consistent with sub-
20 section (1) of this section and in a manner such that:

21 “(a) At the end of the period for which the rates are effective, the balance of moneys in the fund
22 is an amount not less than six months’ worth of projected expenditures from the fund for perform-
23 ance of the functions and duties of the director under this chapter; and

24 “(b) The volatility of the contribution rates is minimized.

25 “(9) For purposes of subsections (1)(c) and (7) of this section, the director shall annually adjust
26 the maximum amount of employee wages by the percentage increase, if any, in the Consumer Price
27 Index for All Urban Consumers, West Region (All Items), as published by the Bureau of Labor Sta-
28 tistics of the United States Department of Labor, since the date of the previous determination made
29 under this subsection.

30 “(10) The director shall determine on an annual basis the amount of payroll contributions, tim-
31 ing of payroll contributions and maximum employee contributions sufficient to finance the costs re-
32 lated to the provisions of this chapter.

33 “(11) An employer shall hold any moneys collected under this section in trust for the State of
34 Oregon and for the payment thereof to the Department of Revenue in the manner described in sub-
35 section (12) of this section.

36 “(12)(a) An employer shall make and file a combined quarterly report of wages earned and con-
37 tributions paid under this section on a form prescribed by the Department of Revenue.

38 “(b) The report shall be filed with the Department of Revenue on or before the last day of the
39 month following the quarter to which the report relates and shall be deemed received on the date
40 of mailing.

41 “(c) The report shall be accompanied by payment of any contributions due under this section in
42 a manner determined by the Department of Revenue by rule.

43 “(13) Moneys collected under this section shall be deposited in the Paid Family and Medical
44 Leave Insurance Fund established under ORS 657B.430.

45 “(14)(a) If an employer ceases or discontinues operations or business, or sells out, exchanges or

1 otherwise disposes of the business or stock of goods, any payroll contribution payable under this
2 section is immediately due and payable, and the employer shall, within 10 calendar days, pay the
3 payroll contribution due. Any person who becomes a successor in interest to the business is liable
4 for the full amount of the unpaid payroll contribution.

5 “(b) The director shall adopt rules for compliance with this chapter with regard to contributions
6 from an employer’s successor in interest.

7 “(15) Benefits may not be denied to a covered individual solely because an employer failed to
8 collect or remit the contributions required under this section.

9 “**SECTION 6.** ORS 657B.150, as amended by section 5 of this 2023 Act, is amended to read:

10 “657B.150. (1)(a) Except as otherwise provided in subsections (3) and (4) of this section and ORS
11 657B.210 (4), all employers and employees shall contribute to the Paid Family and Medical Leave
12 Insurance Fund established under ORS 657B.430.

13 “(b) Contributions shall be paid by employers and employees as a percentage of a total rate
14 determined by the Director of the Employment Department.

15 “(c) The total rate may not exceed one percent of employee wages, up to a maximum [*of*
16 *\$132,900*] **amount in wages that is equivalent to the Social Security contribution and benefit**
17 **base limit established by the United States Social Security Administration for purposes of**
18 **the federal Old-Age, Survivors, and Disability Insurance program limits pursuant to 42 U.S.C.**
19 **430.**

20 “(2)(a) Employer contributions shall be paid in an amount that is equal to 40 percent of the total
21 rate determined by the director.

22 “(b) An employer shall deduct employee contributions from the wages of each employee in an
23 amount that is equal to 60 percent of the total rate determined by the director.

24 “(3) When an employment agency is acting as an employer, the employer contributions required
25 under this section shall be the responsibility of the employment agency.

26 “(4)(a) Employers that employ fewer than 25 employees are not required to pay the employer
27 contributions under subsection (1) of this section.

28 “(b) If an employer that employs fewer than 25 employees elects to pay the employer contribu-
29 tions under subsection (1) of this section, the employer may apply to receive a grant under ORS
30 657B.200.

31 “(5) Notwithstanding subsection (1) of this section, an employer may elect to pay the required
32 employee contributions, in whole or in part, as an employer-offered benefit.

33 “(6) Subject to ORS 657B.130 (2) and (3), a self-employed individual who has elected coverage
34 under ORS 657B.130 (1) shall contribute to the fund, at a rate that may not exceed one percent of
35 the individual’s taxable income, **up to a maximum amount that is equivalent to the Social Se-**
36 **curity contribution and benefit base limit established by the United States Social Security**
37 **Administration for purposes of the federal Old-Age, Survivors, and Disability Insurance pro-**
38 **gram limits pursuant to 42 U.S.C. 430**, as determined by the director by rule, for a period of not
39 less than three years from the date that the election becomes effective.

40 “(7) A tribal government that elects coverage under ORS 657B.130 and employees of the tribal
41 government shall contribute to the fund in contribution amounts and at a rate that may not exceed
42 one percent of employee wages, up to a maximum [*of \$132,900*] **amount in wages that is equivalent**
43 **to the Social Security contribution and benefit base limit established by the United States**
44 **Social Security Administration for purposes of the federal Old-Age, Survivors, and Disability**
45 **Insurance program limits pursuant to 42 U.S.C. 430**, as determined by the director by rule, for

1 a period of not less than three years from the date that the election becomes effective.

2 “(8) The director shall set rates for the collection of payroll contributions consistent with sub-
3 section (1) of this section and in a manner such that:

4 “(a) At the end of the period for which the rates are effective, the balance of moneys in the fund
5 is an amount not less than six months’ worth of projected expenditures from the fund for perform-
6 ance of the functions and duties of the director under this chapter; and

7 “(b) The volatility of the contribution rates is minimized.

8 “(9) **No later than December 15 of each year**, for purposes of subsections (1)(c), **(6)** and (7)
9 of this section, the director shall annually adjust the maximum amount of employee wages **for the**
10 **calendar year immediately following to align with the** *[by the percentage increase, if any, in the*
11 *Consumer Price Index for All Urban Consumers, West Region (All Items), as published by the Bureau*
12 *of Labor Statistics of the United States Department of Labor,]* **contributions and benefit base limit**
13 **established by the United States Social Security Administration for purposes of the federal**
14 **Old-Age, Survivors, and Disability Insurance program limits pursuant to 42 U.S.C. 430** *[since*
15 *the date of the previous determination made under this subsection].*

16 “(10) The director shall determine on an annual basis the amount of payroll contributions, tim-
17 ing of payroll contributions and maximum employee contributions sufficient to finance the costs re-
18 lated to the provisions of this chapter.

19 “(11) An employer shall hold any moneys collected under this section in trust for the State of
20 Oregon and for the payment thereof to the Department of Revenue in the manner described in sub-
21 section (12) of this section.

22 “(12)(a) An employer shall make and file a combined quarterly report of wages earned and con-
23 tributions paid under this section on a form prescribed by the Department of Revenue.

24 “(b) The report shall be filed with the Department of Revenue on or before the last day of the
25 month following the quarter to which the report relates and shall be deemed received on the date
26 of mailing.

27 “(c) The report shall be accompanied by payment of any contributions due under this section in
28 a manner determined by the Department of Revenue by rule.

29 “(13) Moneys collected under this section shall be deposited in the Paid Family and Medical
30 Leave Insurance Fund established under ORS 657B.430.

31 “(14)(a) If an employer ceases or discontinues operations or business, or sells out, exchanges or
32 otherwise disposes of the business or stock of goods, any payroll contribution payable under this
33 section is immediately due and payable, and the employer shall, within 10 calendar days, pay the
34 payroll contribution due. Any person who becomes a successor in interest to the business is liable
35 for the full amount of the unpaid payroll contribution.

36 “(b) The director shall adopt rules for compliance with this chapter with regard to contributions
37 from an employer’s successor in interest.

38 “(15) Benefits may not be denied to a covered individual solely because an employer failed to
39 collect or remit the contributions required under this section.

40 “**SECTION 7.** ORS 657B.210 is amended to read:

41 “657B.210. (1)(a) An employer may apply to the Director of the Employment Department for ap-
42 proval of an employer-offered benefit plan that provides family and medical leave insurance benefits
43 to the employer’s employees.

44 “(b) An employer that seeks approval of a plan shall submit an application to the director in the
45 form and manner prescribed by the director by rule, accompanied by an application fee not to ex-

1 ceed \$250.

2 “(2) The director shall review and approve an application for a plan if the director finds that:

3 “(a) The plan is made available to all employees who have been continuously employed with an
4 employer for 30 days.

5 “(b) The benefits afforded to employees covered under the plan are equal to or greater than the
6 weekly benefits and the duration of leave that an eligible employee would qualify for under this
7 chapter.

8 “(3) An employer may make a plan available to employees who have been employed by the em-
9 ployer for less than 30 days but in no event may an employer require an employee to have been
10 employed by the employer for more than 30 days to be eligible for coverage under the plan.

11 “(4) Neither an employer that provides benefits under an approved plan nor an employee cov-
12 ered under such a plan is required to make the contributions under ORS 657B.150.

13 “(5)(a) An employer may assume all or a part of the costs related to a plan approved under this
14 section.

15 “(b) If an employer assumes only part of the costs, the employer may deduct employee contri-
16 butions from the wages of employees to finance the costs related to the plan, except that any con-
17 tribution amounts deducted may not exceed the amount that an *[eligible]* employee would otherwise
18 be required to contribute under ORS 657B.150.

19 “(c) Employee contributions received or retained by an employer under this subsection must be
20 used for plan expenses and are not considered to be a part of an employer’s assets for any purpose.

21 “(6) Any paid sick leave earned under ORS 653.606 is in addition to the benefits made available
22 under a plan that has been approved under this section.

23 “(7) An employee who takes leave pursuant to a plan approved under this section shall provide
24 notice to an employer of such leave in the same manner as provided in ORS 657B.040.

25 “(8) A plan approved under this section shall remain in effect for a period of not less than one
26 year.

27 “(9) Nothing in this section prohibits an employee who is otherwise eligible from applying for
28 coverage under the program established under ORS 657B.340 or under a separate employer-offered
29 plan that has been approved under this section.

30 “(10) The director shall adopt rules[:]

31 “[*(a) To prevent the payment of benefits in excess of 100 percent of an eligible employee’s average*
32 *weekly wage to an employee who is simultaneously covered under more than one employer-offered plan*
33 *or who has additional coverage under the program established under ORS 657B.340; and]*

34 “[*(b)*] that require that the benefits made available to an eligible employee who is covered under
35 more than one plan shall be prorated under each respective plan.

36 “(11) An employer that offers a plan approved under this section shall:

37 “(a) Be subject to the same requirements provided in ORS 657B.060 and 657B.070;

38 “(b) Maintain all reports, information and records relating to the plan, including payroll and
39 account records that document employee contributions and expenses, in the manner established by
40 the director by rule; and

41 “(c) Provide written notice to employees that includes:

42 “(A) Information about benefits available under the approved plan, including the duration of
43 leave;

44 “(B) The process for filing a claim to receive benefits under the plan;

45 “(C) The process for employee deductions used to finance the costs of the plan, if any;

1 “(D) An employee’s right to dispute a benefit determination in the manner determined by the
2 director under ORS 657B.420;

3 “(E) The right to job protection and benefits continuation, if applicable; and

4 “(F) A statement that discrimination and retaliatory personnel actions against an employee for
5 inquiring about the family and medical leave insurance program established under ORS 657B.340,
6 giving notification of leave under the program, taking leave under the program or claiming family
7 and medical leave insurance benefits are prohibited.

8 “(12) Benefits received under this section are considered wages for purposes of a wage claim
9 under ORS chapter 652.

10 “(13) An employer whose application for plan approval was denied by the director under this
11 section or terminated by the director under ORS 657B.220 may request review of the decision as
12 provided in ORS 657B.410.

13 “**SECTION 8.** ORS 657B.400 is amended to read:

14 “657B.400. (1) **Except as provided in subsections (2) to (7) and (10) of this section,** all in-
15 formation in the records of the Employment Department or a third party administrator pertaining
16 to the administration of this chapter:

17 “(a) Is confidential and for the exclusive use and information of the Director of the Employment
18 Department in administering this chapter;

19 “(b) May not be used in any court action or in any proceeding pending in the court unless the
20 director or the State of Oregon is a party to the action or proceeding or unless the action or pro-
21 ceeding concerns the establishment, enforcement or modification of a support obligation and support
22 services are being provided by the Division of Child Support of the Department of Justice or the
23 district attorney pursuant to ORS 25.080; and

24 “(c) Is exempt from disclosure under ORS 192.311 to 192.478.

25 “**(2) The Employment Department may disclose information:**

26 “**(a) To the extent necessary for the payment of benefits or collection of contributions
27 due under this chapter:**

28 “**(A) To any claimant or employer; or**

29 “**(B) To a legal representative or other designee authorized by a claimant or employer in
30 accordance with any rules adopted by the director regarding the receipt of confidential in-
31 formation on behalf of a claimant or employer.**

32 “**(b) Upon request to the United States Attorney’s Office. Under this paragraph, the
33 Employment Department may disclose an individual’s employment and wage information in
34 response to a federal grand jury subpoena or for the purpose of collecting civil and criminal
35 judgments issued by a federal court, including restitution and special assessment fees. The
36 information disclosed is confidential and may not be used for any other purpose. The costs
37 of disclosing information under this paragraph shall be paid by the United States Attorney’s
38 Office.**

39 “**(3) At the discretion of the director and subject to an interagency agreement, the Em-
40 ployment Department may disclose, upon request, information:**

41 “**(a) To state or local child support enforcement agencies enforcing child support obli-
42 gations for the purposes of establishing child support obligations, locating individuals owing
43 child support obligations and collecting child support obligations from those individuals. The
44 information disclosed is confidential and may not be used for any other purpose. The costs
45 of disclosing information under this paragraph shall be paid by the child support enforcement**

1 agency.

2 “(b) To agencies participating in an income and eligibility verification system for the
3 purpose of verifying an individual’s eligibility for benefits, or the amount of benefits, under
4 a state or federal program such as unemployment insurance, temporary assistance for needy
5 families, medical assistance, supplemental nutrition assistance, Supplemental Security In-
6 come, child support enforcement or Social Security. The information disclosed is confidential
7 and may not be used for any other purpose. The costs of disclosing information under this
8 paragraph shall be paid by the requesting agency.

9 “(c) To officers and employees of the United States Department of Housing and Urban
10 Development and to representatives of a state or local public housing agency for the purpose
11 of determining an individual’s eligibility for benefits, or the amount of benefits, under a
12 housing assistance program. The information disclosed is confidential and may not be used
13 for any other purpose. The costs of disclosing information under this paragraph shall be paid
14 by the requesting agency.

15 “(4) At the discretion of the director and subject to an interagency agreement, the Em-
16 ployment Department may disclose information secured from employers:

17 “(a) To state agencies, federal agencies, local government agencies, public universities
18 listed in ORS 352.002 and the Oregon Health and Science University established under ORS
19 353.020, to the extent necessary to properly carry out governmental planning, performance
20 measurement, program analysis, socioeconomic analysis or policy analysis functions per-
21 formed under applicable law and at the discretion of the director and subject to an intera-
22 gency agreement. The information disclosed is confidential and may not be disclosed by the
23 agencies or universities in any manner that would identify individuals, claimants, employees
24 or employers. If the information disclosed under this paragraph is not prepared for the use
25 of the Employment Department, the costs of disclosing the information shall be paid by the
26 agency or university requesting the information.

27 “(b) As part of a geographic information system. Points on a map may be used to rep-
28 resent economic data, including the location, employer size and industrial classification of
29 businesses in Oregon. Information presented as part of a geographic information system may
30 not give specific details regarding a business’s address, actual employment or proprietary
31 information. If the information disclosed under this paragraph is not prepared for the use
32 of the Employment Department, the costs of disclosing the information shall be paid by the
33 party requesting the information.

34 “(5) At the discretion of the director and subject to an interagency agreement, the Em-
35 ployment Department may disclose information received from an employer, an employee or
36 a claimant:

37 “(a) To public employees in the performance of their duties under state or federal laws
38 relating to the payment of family and medical leave insurance benefits.

39 “(b) Pursuant to an informed consent, (received from the employer, employee or claimant,
40 to disclose the information.

41 “(c) To the Bureau of Labor and Industries for the purpose of performing duties under
42 ORS 279C.800 to 279C.870, 658.005 to 658.245 or 658.405 to 658.511 or ORS chapter 652, 653 or
43 659A. The information disclosed may include the names and addresses of employers and em-
44 ployees, payroll data of employers and employees, and information obtained for an appeal
45 from a determination under a plan approved under ORS 657B.210. The information disclosed

1 is confidential and may not be used for any other purpose. If the information disclosed under
2 this paragraph is not prepared for the use of the Employment Department, the costs of dis-
3 closing the information shall be paid by the bureau.

4 “(d) To the Department of Revenue for the purpose of performing its duties under ORS
5 293.250 or under the revenue and tax laws of this state and identifying potential identity theft
6 and fraud. The information disclosed may include the names and addresses of employers and
7 employees, payroll data of employers and employees, and particulars, as defined in ORS
8 314.835. The information disclosed is confidential and may not be disclosed by the Department
9 of Revenue in any manner that would identify an employer or employee except to the extent
10 necessary to carry out the department’s duties under ORS 293.250 or in auditing or reviewing
11 any report or return required or permitted to be filed under the revenue and tax laws ad-
12 ministered by the department. The Department of Revenue may not disclose any information
13 received to any private collection agency or for any other purpose. If the information dis-
14 closed under this paragraph is not prepared for the use of the Employment Department, the
15 costs of disclosing the information shall be paid by the Department of Revenue.

16 “(e) To the Department of Consumer and Business Services for the purpose of perform-
17 ing its duties under ORS chapters 654, 656 and 731. The information disclosed may include,
18 but is not limited to, the name, address, number of employees and standard industrial clas-
19 sification code of an employer and payroll data of employers and employees. The information
20 disclosed is confidential and may not be disclosed by the Department of Consumer and
21 Business Services in any manner that would identify an employer or employee except to the
22 extent necessary to carry out the department’s duties under ORS chapters 654, 656 and 731,
23 including administrative hearings and court proceedings in which the Department of Con-
24 sumer and Business Services is a party. If the information disclosed under this paragraph
25 is not prepared for the use of the Employment Department, the costs of disclosing the in-
26 formation shall be paid by the Department of Consumer and Business Services.

27 “(f) To the Construction Contractors Board for the purpose of performing its duties un-
28 der ORS chapter 701. The information disclosed to the board may include the names and
29 addresses of employers and status of their compliance with this chapter. If the information
30 disclosed under this paragraph is not prepared for the use of the Employment Department,
31 the costs of disclosing the information shall be paid by the board.

32 “(g) To the Department of Transportation to assist the department in carrying out its
33 duties relating to collection of delinquent and liquidated debts, including taxes, under ORS
34 184.610 to 184.665, 184.670 to 184.733 and 805.263, ORS chapter 319 and the Oregon Vehicle
35 Code, or in auditing or reviewing any report or return required or permitted to be filed under
36 the revenue and tax laws administered by the department. The information disclosed may
37 include the names and addresses of employers and employees and payroll data of employers
38 and employees. The information disclosed is confidential and may not be disclosed by the
39 Department of Transportation in any manner that would identify an employer or employee
40 except to the extent necessary to carry out the department’s duties relating to collection of
41 delinquent and liquidated debts or in auditing or reviewing any report or return required or
42 permitted to be filed under the revenue and tax laws administered by the department. The
43 Department of Transportation may not disclose any information received to any private
44 collection agency or for any other purpose. If the information disclosed under this paragraph
45 is not prepared for the use of the Employment Department, the costs of disclosing the in-

1 **formation shall be paid by the Department of Transportation.**

2 **“(h) To the Department of Human Services and the Oregon Health Authority to assist**
3 **the department and the authority in the collection of debts that the department and the**
4 **authority are authorized by law to collect. The information disclosed may include the names**
5 **and addresses of employers and employees and payroll data of employers and employees. The**
6 **information disclosed is confidential and may not be disclosed by the Department of Human**
7 **Services or the Oregon Health Authority in any manner that would identify an employer or**
8 **employee except to the extent necessary for the collection of debts as described in this par-**
9 **agraph. The Department of Human Services and the Oregon Health Authority may not dis-**
10 **close information received under this paragraph to a private collection agency or use the**
11 **information for a purpose other than the collection of debts as described in this paragraph.**
12 **If the information disclosed under this paragraph is not prepared for the use of the Em-**
13 **ployment Department, the costs of disclosing the information shall be paid by the Depart-**
14 **ment of Human Services or the Oregon Health Authority.**

15 **“(i) To the State Treasurer useful for the purpose of performing the State Treasurer’s**
16 **duties under ORS 98.302 to 98.436, 98.992, 113.235 and 116.253. The information disclosed is**
17 **confidential and may not be used by the State Treasurer for any other purpose. If the in-**
18 **formation disclosed under this paragraph is not prepared for the use of the Employment**
19 **Department, the costs of disclosing the information shall be paid by the State Treasurer.**

20 **“[(2)] (6) At the discretion of the director and subject to an interagency agreement, the director**
21 **may disclose information to a public official in the performance of the public official’s official duties**
22 **administering or enforcing laws within the public official’s authority and to an agent or contractor**
23 **of a public official. The public official shall agree to assume responsibility for misuse of the infor-**
24 **mation by the public official’s agent or contractor.**

25 **“[(3)] (7) At the discretion of the director, the director may disclose information to a contractor**
26 **pursuant to a contract for actuarial services. The contractor shall agree to assume responsibility for**
27 **misuse of the information by the contractor’s agent.**

28 **“(8) Any officer appointed by or any employee of the director who discloses confidential**
29 **information, except with the authority of the director, pursuant to rules or as otherwise**
30 **required by law, may be disqualified from holding any appointment or employment with the**
31 **Employment Department.**

32 **“(9) Any person or any officer or employee of an entity to whom information is disclosed**
33 **by the Employment Department under this section who divulges or uses the information for**
34 **any purpose other than that specified in the provision of law or agreement authorizing the**
35 **use or disclosure may be disqualified from performing any service under contract or from**
36 **holding any appointment or employment with the state agency that engaged or employed**
37 **that person, officer or employee. The Employment Department may immediately cancel or**
38 **modify any information-sharing agreement with an entity when a person or an officer or**
39 **employee of that entity discloses confidential information, other than as specified in law or**
40 **agreement.**

41 **“[(4)] (10) At the discretion of the director, the director may disclose information to an employee**
42 **or officer within any division of the **Employment** Department as necessary to conduct research,**
43 **compile aggregate data from the information received and any other purpose deemed necessary by**
44 **the director to assist the director in carrying out the duties under this chapter or other duties under**
45 **ORS chapter 657.**

1 “(11) **The director may adopt any rules necessary to implement this section.**

2 “**SECTION 9.** ORS 657B.410 is amended to read:

3 “657B.410. (1) The Director of the Employment Department shall establish a process by which:

4 “(a) An employer may request a hearing to obtain review of a final decision of the director re-

5 garding approval or denial of an employer’s application for approval of a plan under ORS 657B.210.

6 “(b) A covered individual may request a hearing to obtain review of a final decision of the di-

7 rector regarding:

8 “(A) Approval or denial of a claim submitted to the director for payment of family and medical

9 leave insurance benefits;

10 “(B) The weekly benefit amount payable to a covered individual as determined under ORS

11 657B.050; [or]

12 “[(C) *Disqualification from the receipt of benefits including liability or repayment of benefits as*

13 *determined under ORS 657B.120.*]

14 “(C) **Matters affecting the covered individual under ORS 657B.040 or 657B.120; or**

15 “(D) **Benefit overpayments.**

16 “(c) **A self-employed individual or a tribal government may request a hearing to review**

17 **a final decision of the director regarding elective coverage under ORS 657B.130.**

18 “(d) **An employer may request hearing:**

19 “(A) **To review a final decision of the director regarding contributions under this chapter;**

20 “(B) **Regarding decisions of the director regarding penalties under this chapter; or**

21 “(C) **To review a final decision of the director regarding a grant made available under this**

22 **chapter.**

23 “(2) Notwithstanding ORS 183.315, the process established by the director under this section

24 shall comply with provisions for a contested case under ORS chapter 183 and is subject to judicial

25 review as provided in ORS 183.482.

26 “(3)(a) **Notwithstanding any other law, a party to a proceeding described under this sec-**

27 **tion may authorize a legal representative or other person to represent the party in the pro-**

28 **ceeding in the manner prescribed by the director by rule. A legal representative or other**

29 **person who is authorized to represent the party in the proceeding must comply with any**

30 **procedures or process regarding such representation established by the department by rule,**

31 **including, but not limited to, a rule establishing the maximum amount that the legal repre-**

32 **sentative or other authorized person may charge for such representation.**

33 “(b) **For purposes of this subsection, ‘person’ includes individuals, corporations, associ-**

34 **ations, firms, partnerships, limited liability companies and joint stock companies, this state**

35 **and the political subdivisions of this state.**

36 “**SECTION 10.** ORS 657B.420 is amended to read:

37 “657B.420. The Director of the Employment Department shall establish by rule a method to re-

38 solve disputes between employers and employees concerning coverage and benefits provided under

39 a plan approved under ORS 657B.210 **that may, as appropriate, employ the appeals process es-**

40 **tablished under ORS 657B.410 to provide employers and employees an opportunity to obtain**

41 **review of a determination by the director.**

42 “**SECTION 11.** ORS 657B.010, as amended by section 1, chapter 24, Oregon Laws 2022, and

43 section 29, chapter 83, Oregon Laws 2022, is amended to read:

44 “657B.010. As used in this chapter:

45 “(1) ‘Alternate base year’ means the last four completed calendar quarters preceding the benefit

1 year.

2 “(2) ‘Average weekly wage’ means the amount calculated by the Employment Department as the
3 state average weekly covered wage under ORS 657.150 (4)(e) as determined not more than once per
4 year.

5 “(3) ‘Base year’ means the first four of the last five completed calendar quarters preceding the
6 benefit year.

7 “(4) ‘Benefits’ means family and medical leave insurance benefits.

8 “(5)(a) ‘Benefit year’ means, except as provided in paragraph (b) of this subsection, a period of
9 52 consecutive weeks beginning on the Sunday immediately preceding the date on which family
10 leave, medical leave or safe leave commences.

11 “(b) ‘Benefit year’ means, in the event that the 52-week period described in paragraph (a) of this
12 subsection would result in an overlap of any quarter of the base year of a previously filed valid
13 claim, a period of 53 consecutive weeks beginning on the Sunday immediately preceding the date
14 on which family leave, medical leave or safe leave commences.

15 “(6) ‘Child’ means:

16 “(a) A biological child, adopted child, stepchild or foster child of a covered individual or of the
17 covered individual’s spouse or domestic partner;

18 “(b) A person who is or was a legal ward of a covered individual or of the covered individual’s
19 spouse or domestic partner; or

20 “(c) A person who is or was in a relationship of in loco parentis with a covered individual or
21 with the covered individual’s spouse or domestic partner.

22 “(7) **‘Claimant’ means an individual who has submitted an application or established a**
23 **claim for benefits.**

24 “[7] (8) ‘Contribution’ or ‘contributions’ means the money payments made by any of the fol-
25 lowing under ORS 657B.150:

26 “(a) An employer;

27 “(b) An *[eligible]* employee;

28 “(c) A self-employed individual;

29 “(d) A tribal government; or

30 “(e) An employee of a tribal government.

31 “[8] (9) ‘Covered individual’ means any one of the following who qualifies **under ORS 657B.015**
32 to receive family and medical leave insurance benefits:

33 “(a) An eligible employee;

34 “(b) A self-employed individual; or

35 “(c) An employee of a tribal government.

36 “[9] (10) ‘Domestic partner’ means an individual joined in a domestic partnership.

37 “[10] (11) ‘Domestic partnership’ has the meaning given that term in ORS 106.310.

38 “[11] (12) ‘Eligible employee’ means:

39 “(a)(A) An employee who has earned at least \$1,000 in wages during the base year; or

40 “(B) If an employee has not earned at least \$1,000 in wages during the base year, an employee
41 who has earned at least \$1,000 in wages during the alternate base year; and

42 “(b) *[Who may apply for]* **An employee to whom** paid family and medical leave insurance ben-
43 efits **may be available** under ORS 657B.015.

44 “[12] (13) ‘Eligible employee’s average weekly wage’ means an amount calculated by the Di-
45 rector of the Employment Department by dividing the total wages earned by an eligible employee

1 during the base year by the number of weeks in the base year.

2 “[13)(a)] **(14)(a)** ‘Employee’ means:

3 “(A) An individual performing services for an employer for remuneration or under any contract

4 of hire, written or oral, express or implied.

5 “(B) A home care worker as defined in ORS 410.600.

6 “(b) ‘Employee’ does not include:

7 “(A) An independent contractor as defined in ORS 670.600.

8 “(B) A participant in a work training program administered under a state or federal assistance

9 program.

10 “(C) A participant in a work-study program that provides students in secondary or

11 postsecondary educational institutions with employment opportunities for financial assistance or

12 vocational training.

13 “(D) A railroad worker exempted under the federal Railroad Unemployment Insurance Act.

14 “(E) A volunteer.

15 “**(F) A judge as defined in ORS 260.005.**

16 “**(G) A member of the Legislative Assembly.**

17 “**(H) A holder of public office as defined in ORS 260.005.**

18 “[14)(a)] **(15)(a)** ‘Employer’ means any person that employs one or more employees working

19 anywhere in this state or any agent or employee of such person to whom the duties of the person

20 under this chapter have been delegated.

21 “(b) ‘Employer’ includes:

22 “(A) A political subdivision of this state or any county, city, district, authority or public corpo-

23 ration, or any instrumentality of a county, city, district, authority or public corporation, organized

24 and existing under law or charter;

25 “(B) An individual;

26 “(C) Any type of organization, corporation, partnership, limited liability company, association,

27 trust, estate, joint stock company or insurance company;

28 “(D) Any successor in interest to an entity described in subparagraph (C) of this paragraph;

29 “(E) A trustee, trustee in bankruptcy or receiver; or

30 “(F) A trustee or legal representative of a deceased person.

31 “(c) ‘Employer’ does not include the federal government or a tribal government.

32 “[15)] **(16)** ‘Employment agency’ has the meaning given that term in ORS 658.005.

33 “[16)] **(17)** ‘Family and medical leave insurance benefits’ means the wage replacement benefits

34 that are available to a covered individual under ORS 657B.050 or under the terms of an employer

35 plan approved under ORS 657B.210, for family leave, medical leave or safe leave.

36 “[17)(a)] **(18)(a)** ‘Family leave’ means leave from work taken by a covered individual:

37 “(A) To care for and bond with a child during the first year after the child’s birth or during the

38 first year after the placement of the child through foster care or adoption; or

39 “(B) To care for a family member with a serious health condition.

40 “(b) ‘Family leave’ does not mean:

41 “(A) Leave described in ORS 659A.159 (1)(d);

42 “(B) Leave described in ORS 659A.159 (1)(e); or

43 “(C) Leave authorized under ORS 659A.093.

44 “[18)] **(19)** ‘Family member’ means:

45 “(a) The spouse of a covered individual;

1 “(b) A child of a covered individual or the child’s spouse or domestic partner;
2 “(c) A parent of a covered individual or the parent’s spouse or domestic partner;
3 “(d) A sibling or stepsibling of a covered individual or the sibling’s or stepsibling’s spouse or
4 domestic partner;
5 “(e) A grandparent of a covered individual or the grandparent’s spouse or domestic partner;
6 “(f) A grandchild of a covered individual or the grandchild’s spouse or domestic partner;
7 “(g) The domestic partner of a covered individual; or
8 “(h) Any individual related by blood or affinity whose close association with a covered individ-
9 ual is the equivalent of a family relationship.
10 “[19] (20) ‘Medical leave’ means leave from work taken by a covered individual that is made
11 necessary by the individual’s own serious health condition.
12 “[20] (21) ‘Parent’ means:
13 “(a) A biological parent, adoptive parent, stepparent or foster parent of a covered individual;
14 “(b) A person who was a foster parent of a covered individual when the covered individual was
15 a minor;
16 “(c) A person designated as the legal guardian of a covered individual at the time the covered
17 individual was a minor or required a legal guardian;
18 “(d) A person with whom a covered individual was or is in a relationship of in loco parentis;
19 or
20 “(e) A parent of a covered individual’s spouse or domestic partner who meets a description un-
21 der paragraphs (a) to (d) of this subsection.
22 “[21] (22) ‘Safe leave’ means leave taken for any purpose described in ORS 659A.272.
23 “[22] (23) ‘Self-employed individual’ means:
24 “(a) An individual who has self-employment income as defined in section 1402(b) of the Internal
25 Revenue Code as amended and in effect on December 31, 2021; or
26 “(b) An independent contractor as defined in ORS 670.600.
27 “[23] (24) ‘Serious health condition’ has the meaning given that term in ORS 659A.150.
28 “[24] (25) ‘Third party administrator’ means a third party that enters into an agreement with
29 the Director of the Employment Department to implement and administer the paid family and med-
30 ical leave program established under this chapter.
31 “[25] (26) ‘Tribal government’ has the meaning given that term in ORS 181A.940.
32 “[26] (27)(a) ‘Wages’ has the meaning given that term in ORS 657.105.
33 “(b) ‘Wages’ does not mean contribution amounts paid to the Paid Family and Medical
34 Leave Insurance Fund by an employer on behalf of an employee under ORS 657B.150 (5).
35 “**SECTION 12.** ORS 183.471 is amended to read:
36 “183.471. (1) When an agency issues a final order in a contested case, the agency shall maintain
37 the final order in a digital format that:
38 “(a) Identifies the final order by the date it was issued;
39 “(b) Is suitable for indexing and searching; and
40 “(c) Preserves the textual attributes of the document, including the manner in which the docu-
41 ment is paginated and any boldfaced, italicized or underlined writing in the document.
42 “(2) The Oregon State Bar may request that an agency provide the Oregon State Bar, or its
43 designee, with electronic copies of final orders issued by the agency in contested cases. The request
44 must be in writing. No later than 30 days after receiving the request, the agency, subject to ORS
45 192.338, 192.345 and 192.355, shall provide the Oregon State Bar, or its designee, with an electronic

1 copy of all final orders identified in the request.

2 “(3) Notwithstanding ORS 192.324, an agency may not charge a fee for the first two requests
3 submitted under this section in a calendar year. For any subsequent request, an agency may impose
4 a fee in accordance with ORS 192.324 to reimburse the agency for the actual costs of complying with
5 the request.

6 “(4) For purposes of this section, a final order entered in a contested case by an administrative
7 law judge under ORS 183.625 (3) is a final order issued by the agency that authorized the adminis-
8 trative law judge to conduct the hearing.

9 “(5) This section does not apply to final orders by default issued under ORS 183.417 (3) or to
10 final orders issued in contested cases by:

11 “(a) The Department of Revenue;

12 “(b) The State Board of Parole and Post-Prison Supervision;

13 “(c) The Department of Corrections;

14 “(d) The Employment Relations Board;

15 “(e) The Public Utility Commission of Oregon;

16 “(f) The Oregon Health Authority;

17 “(g) The Land Conservation and Development Commission;

18 “(h) The Land Use Board of Appeals;

19 “(i) The Division of Child Support of the Department of Justice;

20 “(j) The Department of Transportation, if the final order relates to the suspension, revocation
21 or cancellation of identification cards, vehicle registrations, vehicle titles or driving privileges or
22 to the assessment of taxes or stipulated settlements in the regulation of vehicle related businesses;

23 “(k) The Employment Department or the Employment Appeals Board, if the final order relates
24 to benefits as defined in ORS 657.010;

25 “(L) The Employment Department, if the final order relates to an assessment of unemployment
26 tax for which a hearing was not held; [or]

27 “(m) **The Employment Department, if the final order relates to:**

28 “(A) **Benefits, as defined in ORS 657B.010;**

29 “(B) **Employer and employee contributions under ORS 657B.150 for which a hearing was**
30 **not held;**

31 “(C) **Employer-offered benefit plans approved under ORS 657B.210 or terminated under**
32 **ORS 657B.220; or**

33 “(D) **Employer assistance grants under ORS 657B.200; or**

34 “[(m)] (n) The Department of Human Services, if the final order was not related to licensing or
35 certification.

36 “**SECTION 13.** ORS 657B.175 is amended to read:

37 “657B.175. (1) An employee’s wages shall be used to make determinations under this chapter if
38 the wages are earned for service **that is:**

39 “[*(1) Performed entirely within this state; or*]

40 “[*(2) Performed both within and outside this state, but the service performed outside this state is*
41 *incidental to the employee’s service within the state.*]

42 “(a) **Localized within this state; or**

43 “(b) **Not localized within any state, but some of the service is performed within this state**
44 **and:**

45 “(A) **The base of operations is in this state or, if there is no base of operations, the place**

1 from which the service is directed or controlled is in this state; or

2 **“(B) The base of operations or place from which the service is directed or controlled is**
3 **not in any state in which some part of the service is performed, but the individual’s resi-**
4 **dence is in this state.**

5 **“(2) Service is localized within this state if it is:**

6 **“(a) Performed entirely within this state; or**

7 **“(b) Performed both within and outside this state, but the service performed outside this**
8 **state is incidental to the employee’s service within this state.**

9 **“SECTION 14.** ORS 657B.030 is amended to read:

10 **“657B.030. (1) Family and medical leave insurance benefits are in addition to any paid sick time**
11 **under ORS 653.606, vacation leave or other paid leave earned by an employee.**

12 **“(2) An employer may permit an employee to use **all or a portion of** paid sick time, vacation**
13 **leave or any other paid leave earned by the employee in addition to receiving paid family and**
14 **medical leave insurance benefits [to replace an employee’s wages up to 100 percent of the eligible**
15 **employee’s average weekly wage] during a period of leave taken for family leave, medical leave or**
16 **safe leave.**

17 **“(3) In any week in which an employee is eligible to receive workers’ compensation or unem-**
18 **ployment benefits under ORS chapter 656 or 657, the employee is disqualified from receiving family**
19 **and medical leave insurance benefits.**

20 **“SECTION 15.** ORS 305.410 is amended to read:

21 **“305.410. (1) Subject only to the provisions of ORS 305.445 relating to judicial review by the**
22 **Supreme Court and to subsection (2) of this section, the tax court shall be the sole, exclusive and**
23 **final judicial authority for the hearing and determination of all questions of law and fact arising**
24 **under the tax laws of this state. For the purposes of this section, and except to the extent that they**
25 **preclude the imposition of other taxes, the following are not tax laws of this state:**

26 **“(a) ORS chapter 577 relating to Oregon Beef Council contributions.**

27 **“(b) ORS 576.051 to 576.455 relating to commodity commission assessments.**

28 **“(c) ORS chapter 477 relating to fire protection assessments.**

29 **“(d) ORS chapters 731, 732, 733, 734, 737, 742, 743, 743A, 743B, 744, 746, 748 and 750 relating to**
30 **insurance company fees and taxes.**

31 **“(e) ORS chapter 473 relating to liquor taxes.**

32 **“(f) ORS chapter 825 relating to motor carrier taxes.**

33 **“(g) ORS chapter 319 relating to motor vehicle and aircraft fuel taxes and the road usage**
34 **charges imposed under ORS 319.885.**

35 **“(h) ORS title 59 relating to motor vehicle and motor vehicle operators’ license fees and ORS**
36 **title 39 relating to boat licenses.**

37 **“(i) ORS chapter 578 relating to Oregon Wheat Commission assessments.**

38 **“(j) ORS chapter 462 relating to racing taxes.**

39 **“(k) ORS chapter 657 relating to unemployment insurance taxes.**

40 **“(L) ORS chapter 656 relating to workers’ compensation contributions, assessments or fees.**

41 **“(m) ORS 311.420, 311.425, 311.455, 311.650, 311.655 and ORS chapter 312 relating to foreclosure**
42 **of real and personal property tax liens.**

43 **“(n) ORS 409.800 to 409.816 and 409.900 relating to long term care facility assessments.**

44 **“(o) ORS chapter 657B relating to family and medical leave insurance benefits and con-**
45 **tributions.**

1 “(2) The tax court and the circuit courts shall have concurrent jurisdiction to try actions or
2 suits to determine:

3 “(a) The priority of property tax liens in relation to other liens.

4 “(b) The validity of any deed, conveyance, transfer or assignment of real or personal property
5 under ORS 95.060 and 95.070 (1983 Replacement Part) or 95.200 to 95.310 where the Department of
6 Revenue has or claims a lien or other interest in the property.

7 “(3) Subject only to the provisions of ORS 305.445 relating to judicial review by the Supreme
8 Court, the tax court shall be the sole, exclusive and final judicial authority for the hearing and de-
9 termination of all questions of law and fact concerning the authorized uses of the proceeds of bonded
10 indebtedness described in section 11 (11)(d), Article XI of the Oregon Constitution.

11 “(4) Except as permitted under section 2, amended Article VII, Oregon Constitution, this section
12 and ORS 305.445, no person shall contest, in any action, suit or proceeding in the circuit court or
13 any other court, any matter within the jurisdiction of the tax court.

14 **“SECTION 16. (1) Section 2 of this 2023 Act applies to requests for hearings made on or
15 after January 1, 2023.**

16 **“(2) The amendments to ORS 657B.015, 657B.030, 657B.090 and 657B.210 by sections 3, 4,
17 7 and 14 of this 2023 Act apply to benefits paid or made available on or after September 3,
18 2023.**

19 **“(3) The amendments to ORS 657B.150 by section 5 of this 2023 Act apply to contributions
20 due on or after January 1, 2023.**

21 **“(4) The amendments to ORS 657B.150 by section 6 of this 2023 Act apply to contributions
22 due on or after January 1, 2024.**

23 **“(5) The amendments to ORS 657B.400 by section 8 of this 2023 Act apply to disclosures
24 of information made by the Employment Department on or after September 3, 2023.**

25 **“(6) The amendments to ORS 657B.410 by section 9 of this 2023 Act apply to hearings
26 regarding final decisions of the Director of the Employment Department occurring on or
27 after January 1, 2023.**

28 **“(7) The amendments to ORS 657B.420 by section 10 of this 2023 Act apply to determi-
29 nations by the department that occurred on or after September 3, 2023.**

30 **“(8) The amendments to ORS 657B.010 by section 11 of this 2023 Act apply to contribu-
31 tions paid and benefits made available on or after January 1, 2023.**

32 **“(9) The amendments to ORS 183.471 by section 12 of this 2023 Act apply to final orders
33 issued in contested cases on or after January 1, 2023.**

34 **“(10) The amendments to ORS 657B.175 by section 13 of this 2023 Act apply to wages
35 earned on or after January 1, 2023.**

36 **“(11) The amendments to ORS 305.410 by section 15 of this 2023 Act apply to actions and
37 proceedings commenced on or after January 1, 2023.**

38 **“SECTION 17. This 2023 Act takes effect on the 91st day after the date on which the 2023
39 regular session of the Eighty-second Legislative Assembly adjourns sine die.”**