



Oregon

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TO: Interested Parties
FROM: Heather Case, Senior Policy Director
SUBJECT: HB 2285 (2023) Summary – Social Security Statute Updates

BACKGROUND

By legislative delegation, the state's Social Security administrator is the PERS agency director. From July 1, 1951 through December 31, 1986, public employers in Oregon participating in OASI (Old Age and Survivors Insurance), commonly known as Social Security, remitted employer/employee contributions to the State Social Security administrator. Effective January 1, 1987, the responsibility for collection of FICA taxes was transferred to the IRS.

Although amendments were made to the applicable ORSs in prior legislative sessions, some references to the fiduciary function of FICA tax collection by the State Social Security Administrator remain in statute. Current statute also grants the State authority to sweep the State Social Security account, which is no longer needed.

PROPOSED SOLUTION

The agency requested legislative concept proposes the following changes: Delete references in 237.490 to remittance procedures and State's access to the account which funds the program, and repeal 237.515. Due to prior legislative changes, this solution does not change current agency practice, but simply further refines statute to remove obsolete references.