

# Enrolled House Bill 4098

Sponsored by Representative WALTERS, Senator SOLLMAN, Representatives PHAM H, BYNUM, NGUYEN H, RUIZ, Senator MEEK; Representatives BOWMAN, DEXTER, FAHEY, GAMBA, GRAYBER, HARTMAN, HELM, HOLVEY, HUDSON, KROPF, LEVY E, LIVELY, NERON, NGUYEN D, NOSSE, PHAM K, REYNOLDS, SMITH G, SOSA, TRAN, Senators CAMPOS, FREDERICK, GELSER BLOUIN, JAMA, PATTERSON, WOODS (at the request of Family Forward Oregon) (Presession filed.)

CHAPTER .....

AN ACT

Relating to child care; creating new provisions; amending section 6, chapter 25, Oregon Laws 2023; and declaring an emergency.

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

**SECTION 1. CHIPS Child Care Work Group. (1) The Oregon Business Development Department shall establish the CHIPS Child Care Work Group to develop recommendations:**

**(a) To require financial contributions to the CHIPS Child Care Fund established under section 3 of this 2024 Act by businesses that receive a program grant or loan under section 3, chapter 25, Oregon Laws 2023, and federal semiconductor financial assistance, as defined in section 1, chapter 25, Oregon Laws 2023.**

**(b) To determine the monetary amount of financial contributions and the mechanism by which those contributions are to be made under paragraph (a) of this subsection.**

**(2) The work group must include, at a minimum, representation of relevant state agencies, businesses described in subsection (1) of this section and child care advocates.**

**SECTION 2. Financial support for construction workforce. (1) The Oregon Business Development Department shall enter into an interagency agreement with the Bureau of Labor and Industries to develop and administer a program to provide financial support and child care subsidies to:**

**(a) Apprentices who are participating in a course of study in construction under ORS 660.002 to 660.210.**

**(b) Journeyworkers who have completed an apprenticeship in construction under ORS 660.002 to 660.210 within the last five years.**

**(2) Financial support under subsection (1) of this section may be provided to the apprentice or journeyworker or to the child care provider that is providing child care services for the apprentice or journeyworker.**

**(3)(a) The department shall adopt rules necessary to administer this section.**

**(b) The bureau may adopt rules to carry out this section.**

**(4) The bureau shall evaluate the impact of this section on increasing diversity in the construction workforce.**

**SECTION 3. CHIPS Child Care Fund.** (1) The CHIPS Child Care Fund is established in the State Treasury, separate and distinct from the General Fund. Interest earned by the CHIPS Child Care Fund shall be credited to the fund.

(2) Moneys in the fund are continuously appropriated to the Oregon Business Development Department for the following purposes:

(a) Paying the actual costs incurred by the department to develop and administer this section and sections 1, 2 and 4 of this 2024 Act; and

(b) Carrying out this section and sections 1, 2 and 4 of this 2024 Act, including transferring moneys to the Bureau of Labor and Industries to develop and administer the program described in section 2 of this 2024 Act.

(3) The Oregon Business Development Department may transfer moneys deposited in the fund to the Child Care Infrastructure Fund established under ORS 329A.725. Moneys transferred under this subsection shall be used by the department to provide financial assistance under ORS 329A.727 for the purposes of increasing child care infrastructure in geographic areas in this state where semiconductor or other advanced manufacturing facilities are presently located or scheduled to be constructed under sections 1 to 6, chapter 25, Oregon Laws 2023.

(4) The Oregon Business Development Department shall administer the CHIPS Child Care Fund in consultation with the Bureau of Labor and Industries.

(5) The fund shall consist of moneys credited to the fund, including:

(a) Moneys appropriated to the fund by the Legislative Assembly;

(b) Moneys transferred to the fund by the Oregon Business Development Department;

(c) Moneys transferred from the Oregon CHIPS Fund established in section 6, chapter 25, Oregon Laws 2023;

(d) Moneys contributed to the CHIPS Child Care Fund by businesses that receive a program grant or loan under section 3, chapter 25, Oregon Laws 2023, and federal semiconductor financial assistance, as defined in section 1, chapter 25, Oregon Laws 2023;

(e) Earnings on moneys in the fund;

(f) Moneys received from the federal or state government; and

(g) Moneys from any other public or private source.

**SECTION 3a.** Section 3 of this 2024 Act is amended to read:

**Sec. 3.** (1) The CHIPS Child Care Fund is established in the State Treasury, separate and distinct from the General Fund. Interest earned by the CHIPS Child Care Fund shall be credited to the fund.

(2) Moneys in the fund are continuously appropriated to the Oregon Business Development Department for the following purposes:

(a) Paying the actual costs incurred by the department to develop and administer this section and [sections 1, 2 and 4] **section 2** of this 2024 Act; and

(b) Carrying out this section and [sections 1, 2 and 4] **section 2** of this 2024 Act, including transferring moneys to the Bureau of Labor and Industries to develop and administer the program described in section 2 of this 2024 Act.

(3) The Oregon Business Development Department may transfer moneys deposited in the fund to the Child Care Infrastructure Fund established under ORS 329A.725. Moneys transferred under this subsection shall be used by the department to provide financial assistance under ORS 329A.727 [for the purposes of increasing child care infrastructure in geographic areas in this state where semiconductor or other advanced manufacturing facilities are presently located or scheduled to be constructed under sections 1 to 6, chapter 25, Oregon Laws 2023].

(4) The Oregon Business Development Department shall administer the CHIPS Child Care Fund in consultation with the Bureau of Labor and Industries.

(5) The fund shall consist of moneys credited to the fund, including:

(a) Moneys appropriated to the fund by the Legislative Assembly;

(b) Moneys transferred to the fund by the Oregon Business Development Department;

[(c) Moneys transferred from the Oregon CHIPS Fund established in section 6, chapter 25, Oregon Laws 2023;]

[(d)] (c) Moneys contributed to the [CHIPS Child Care] fund by businesses that receive a program grant or loan under section 3, chapter 25, Oregon Laws 2023, and federal semiconductor financial assistance, as defined in section 1, chapter 25, Oregon Laws 2023;

[(e)] (d) Earnings on moneys in the fund;

[(f)] (e) Moneys received from the federal or state government; and

[(g)] (f) Moneys from any other public or private source.

**SECTION 4. Report.** On or before November 15, 2024, the CHIPS Child Care Work Group established in section 1 of this 2024 Act shall submit a report, in the manner provided in ORS 192.245, on the recommendations required by section 1 of this 2024 Act, to the committees of the Legislative Assembly related to child care and workforce development.

**SECTION 5.** Section 6, chapter 25, Oregon Laws 2023, is amended to read:

**Sec. 6.** (1) The Oregon CHIPS Fund is established in the State Treasury, separate and distinct from the General Fund. Interest earned by the Oregon CHIPS Fund shall be credited to the fund.

(2) Moneys in the fund shall consist of:

(a) Amounts appropriated or otherwise transferred or credited to the fund by the Legislative Assembly;

(b) Earnings received on moneys in the fund; and

(c) Other moneys, or proceeds of property, from any public or private source that are transferred, donated or otherwise credited to the fund.

(3) Moneys in the Oregon CHIPS Fund are continuously appropriated to the Oregon Business Development Department for the following purposes:

(a) Paying the actual costs incurred by the department in developing and administering sections 1 to 6, **chapter 25, Oregon Laws 2023** [of this 2023 Act]; [and]

(b) Carrying out the provisions of sections 1 to 6, **chapter 25, Oregon Laws 2023** [of this 2023 Act]; and

(c) **Transferring moneys to the CHIPS Child Care Fund established under section 3 of this 2024 Act for purpose of carrying out section 2 of this 2024 Act.**

(4) Moneys in the Oregon CHIPS Fund on June 30, 2023, shall be retained in the fund, and used for the purposes set forth in subsection (3) of this section, until June 30, 2025.

(5) Any moneys remaining in the Oregon CHIPS Fund on June 30, 2025, shall be transferred to the General Fund.

**SECTION 6. Appropriation.** In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Business Development Department, for the biennium ending June 30, 2025, out of the General Fund, the amount of \$2,500,000, to be deposited into the CHIPS Child Care Fund established under section 3 of this 2024 Act.

**SECTION 7. Expenditure limitation.** Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 4 (3), chapter 475, Oregon Laws 2023, for the biennium ending June 30, 2025, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Oregon Business Development Department, for infrastructure, is increased by \$2,500,000, to implement the provisions of this 2024 Act.

**SECTION 8. Expenditure limitation.** Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2, chapter 471, Oregon Laws 2023, for the biennium ending June 30, 2025, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Bureau of Labor and Industries, is increased by \$681,662, to implement the provisions of this 2024 Act.

**SECTION 9. Expenditure limitation.** Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (1), chapter 448, Oregon Laws

2023, for the biennium ending June 30, 2025, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds, corporate activity tax funds transferred from the Early Learning Account by the Department of Education and federal funds, collected or received by the Department of Early Learning and Care, for operations, is increased by \$366,245, to implement the provisions of this 2024 Act.

**SECTION 10. Operative date.** The amendments to section 3 of this 2024 Act by section 3a of this 2024 Act become operative on January 1, 2033.

**SECTION 11. Sunset.** Sections 1 and 4 of this 2024 Act are repealed on January 2, 2025.

**SECTION 12. Captions disclaimer.** The section captions used in this 2024 Act are provided only for the convenience of the reader and do not become part of the statutory law of this state or express any legislative intent in the enactment of this 2024 Act.

**SECTION 13. Effective date.** This 2024 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2024 Act takes effect on its passage.

Passed by House March 6, 2024

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Timothy G. Sekerak, Chief Clerk of House

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Dan Rayfield, Speaker of House

Passed by Senate March 7, 2024

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Rob Wagner, President of Senate

Received by Governor:

.....M.,....., 2024

Approved:

.....M.,....., 2024

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Tina Kotek, Governor

Filed in Office of Secretary of State:

.....M.,....., 2024

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LaVonne Griffin-Valade, Secretary of State