

# House Bill 2568

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor Tina Kotek for Department of Consumer and Business Services)

## 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**. The statement includes a measure digest written in compliance with applicable readability standards.

**Digest:** Makes two new accounts in the Consumer and Business Services Fund. Says where the moneys for the accounts will come from and gives the Director of the Department of Consumer and Business Services the power to say which moneys will go into each of the accounts. (Flesch Readability Score: 60.2).

Establishes two new subaccounts in the Consumer and Business Services Fund: the Consumer Financial Education Account and the Consumer Insurance Education Account. Specifies the sources of funding for both accounts and requires the Director of the Department of Consumer and Business Services to designate funds for deposit into the accounts. Continuously appropriates moneys in the accounts to the Department of Consumer and Business Services for the purpose of providing consumer education.

## A BILL FOR AN ACT

1  
2 Relating to moneys from enforcement actions of the Department of Consumer and Business Services  
3 as funding for consumer education; creating new provisions; and amending ORS 705.146 and  
4 705.165.

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

6 **SECTION 1. ORS 705.146 is added to and made a part of ORS chapter 705.**

7 **SECTION 2. ORS 705.146 is amended to read:**

8 705.146. [*The Prescription Drug Affordability Account is established as a subaccount in the Con-*  
9 *sumer and Business Services Fund created in ORS 705.145, consisting of moneys collected under ORS*  
10 *646A.695 and moneys that may be appropriated for deposit into the Prescription Drug Affordability*  
11 *Account by the Legislative Assembly. Interest earned on the account shall be credited to the account.*  
12 *Moneys in the account are continuously appropriated to the Department of Consumer and Business*  
13 *Services to carry out ORS 646A.680 to 646A.697.]*

14 **The Consumer and Business Services Fund created under ORS 705.145 shall include as**  
15 **subaccounts within the fund:**

16 **(1) The Prescription Drug Affordability Account. The Prescription Drug Affordability**  
17 **Account consists of moneys the Department of Consumer and Business Services collects**  
18 **under ORS 646A.695 and moneys the Legislative Assembly appropriates for deposit into the**  
19 **Prescription Drug Affordability Account. Interest that accrues on the Prescription Drug**  
20 **Affordability Account must be credited to the Prescription Drug Affordability Account.**  
21 **Moneys in the Prescription Drug Affordability Account are continuously appropriated to the**  
22 **department to carry out the provisions of ORS 646A.680 to 646A.697.**

23 **(2)(a) The Consumer Financial Education Account. The Consumer Financial Education**  
24 **Account consists of:**

25 **(A) Moneys the Director of the Department of Consumer and Business Services desig-**

**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.

1 **nates for deposit into the Consumer Financial Education Account from moneys the depart-**  
 2 **ment collects as civil penalties the department imposes, and under agreements into which**  
 3 **the department enters, to punish, settle or remedy violations of ORS chapter 645 and ORS**  
 4 **59.005 to 59.505, 59.710 to 59.830, 59.991, 86A.095 to 86A.198 and 650.005 to 650.100; and**

5 **(B) Moneys the Legislative Assembly appropriates for deposit into the Consumer Finan-**  
 6 **cial Education Account.**

7 **(b) Interest that accrues on the Consumer Financial Education Account must be credited**  
 8 **to the Consumer Financial Education Account. Moneys in the Consumer Financial Education**  
 9 **Account are continuously appropriated to the department for the purpose of providing fi-**  
 10 **nancial education for consumers and for related purposes.**

11 **(3)(a) The Consumer Insurance Education Account. The Consumer Insurance Education**  
 12 **Account consists of:**

13 **(A) Moneys the director designates for deposit into the Consumer Insurance Education**  
 14 **Account from moneys the department collects as civil penalties the department imposes, and**  
 15 **under agreements into which the department enters, to punish, settle or remedy violations**  
 16 **of the Insurance Code; and**

17 **(B) Moneys the Legislative Assembly appropriates for deposit into the Consumer Insur-**  
 18 **ance Education Account.**

19 **(b) Interest that accrues on the Consumer Insurance Education Account must be cred-**  
 20 **ited to the Consumer Insurance Education Account. Moneys in the Consumer Insurance**  
 21 **Education Account are continuously appropriated to the department for the purpose of pro-**  
 22 **viding education about insurance to consumers and for related purposes.**

23 **SECTION 3.** ORS 705.165 is amended to read:

24 705.165. (1) Except as provided in ORS 59.255, 59.995, 86A.130, 86A.992, [*and*] 645.950[,] **and**  
 25 **705.146**, the net amount accruing to the Department of Consumer and Business Services from all  
 26 fees, charges, interest, penalties and miscellaneous revenues from all sources under ORS chapter 645  
 27 and ORS 59.005 to 59.505, 59.710 to 59.830, 59.991, 86A.095 to 86A.198, 650.005 to 650.100 and 705.350  
 28 shall, after deduction of refunds, be paid over to the State Treasurer and deposited in a separate  
 29 subaccount in the Consumer and Business Services Fund created under ORS 705.145 at least  
 30 monthly and may be used only for the expenses of the department in carrying out its functions and  
 31 duties under ORS chapter 645 and ORS 59.005 to 59.505, 59.710 to 59.830, 59.991, 59.995, 86A.095 to  
 32 86A.198, 650.005 to 650.100 and 705.350.

33 (2) Any amount deposited in the separate subaccount in the Consumer and Business Services  
 34 Fund as provided in subsection (1) of this section that at the end of each quarter is determined by  
 35 the Director of the Department of Consumer and Business Services to be in excess of the amount  
 36 needed to administer ORS chapter 645 and ORS 59.005 to 59.505, 59.710 to 59.830, 59.991, 59.995,  
 37 86A.095 to 86A.198 and 650.005 to 650.100 shall be transferred to the General Fund and shall become  
 38 available for general governmental expenses.