

Senate Bill 826

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor Tina Kotek for Oregon Department of Emergency Management)

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: The Act puts ODEM in charge of a plan to make sure that public safety systems are compatible with each other. (Flesch Readability Score: 64.6).

Transfers duties, functions and powers related to the Oregon Statewide Communication Interoperability Plan from the State Chief Information Officer to the Oregon Department of Emergency Management.

Declares an emergency, effective July 1, 2025.

A BILL FOR AN ACT

Relating to the Oregon Statewide Communication Interoperability Plan; creating new provisions; amending ORS 403.450, 403.455, 403.460 and 403.465; and declaring an emergency.

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

TRANSFER OF FUNCTIONS RELATED TO THE OREGON STATEWIDE COMMUNICATION INTEROPERABILITY PLAN

SECTION 1. The duties, functions and powers of the State Chief Information Officer relating to the Oregon Statewide Communication Interoperability Plan are imposed upon, transferred to and vested in the Oregon Department of Emergency Management.

SECTION 2. (1) The State Chief Information Officer shall:

(a) Deliver to the Oregon Department of Emergency Management all records and property within the jurisdiction of the State Chief Information Officer that relate to the duties, functions and powers transferred by section 1 of this 2025 Act; and

(b) Transfer to the department those employees engaged primarily in the exercise of the duties, functions and powers transferred by section 1 of this 2025 Act.

(2) The Director of the Oregon Department of Emergency Management shall take possession of the records and property, and shall take charge of the employees and employ them in the exercise of the duties, functions and powers transferred by section 1 of this 2025 Act, without reduction of compensation but subject to change or termination of employment or compensation as provided by law.

(3) The Governor shall resolve any dispute between the State Chief Information Officer and the department relating to transfers of records, property and employees under this section, and the Governor's decision is final.

SECTION 3. (1) The unexpended balances of amounts authorized to be expended by or for the State Chief Information Officer for the biennium beginning July 1, 2025, from revenues

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 dedicated, continuously appropriated, appropriated or otherwise made available for the pur-
2 pose of administering and enforcing the duties, functions and powers transferred by section
3 1 of this 2025 Act are transferred to and are available for expenditure by the Oregon De-
4 partment of Emergency Management for the biennium beginning July 1, 2025, for the purpose
5 of administering and enforcing the duties, functions and powers transferred by section 1 of
6 this 2025 Act.

7 (2) The expenditure classifications, if any, established by Acts authorizing or limiting
8 expenditures by or for the State Chief Information Officer remain applicable to expenditures
9 by the department under this section.

10 **SECTION 4.** The transfer of duties, functions and powers to the Oregon Department of
11 Emergency Management by section 1 of this 2025 Act does not affect any action, proceeding
12 or prosecution involving or with respect to the duties, functions and powers begun before
13 and pending at the time of the transfer, except that the department is substituted for the
14 State Chief Information Officer, the office of Enterprise Information Services or the Oregon
15 Department of Administrative Services, as appropriate, in the action, proceeding or prose-
16 cution.

17 **SECTION 5.** (1) Nothing in sections 1 to 7 of this 2025 Act and the amendments to ORS
18 403.450, 403.455, 403.460 and 403.465 by sections 8 to 11 of this 2025 Act relieves a person of a
19 liability, duty or obligation accruing under or with respect to the duties, functions and pow-
20 ers transferred by section 1 of this 2025 Act. The Oregon Department of Emergency Man-
21 agement may undertake the collection or enforcement of any such liability, duty or
22 obligation.

23 (2) The rights and obligations of the State Chief Information Officer, the office of En-
24 terprise Information Services or the Oregon Department of Administrative Services legally
25 incurred under contracts, leases and business transactions executed, entered into or begun
26 before the operative date of section 1 of this 2025 Act accruing under or with respect to the
27 duties, functions and powers transferred by section 1 of this 2025 Act are transferred to the
28 Oregon Department of Emergency Management. For the purpose of succession to these
29 rights and obligations, the department is a continuation of the State Chief Information Of-
30 ficer, the office of Enterprise Information Services or the Oregon Department of Adminis-
31 trative Services, as appropriate, and not a new authority.

32 **SECTION 6.** Notwithstanding the transfer of duties, functions and powers by section 1
33 of this 2025 Act, the rules of the State Chief Information Officer with respect to such duties,
34 functions or powers that are in effect on the operative date of section 1 of this 2025 Act
35 continue in effect until superseded or repealed by rules of the Oregon Department of Emer-
36 gency Management. References in the rules of the State Chief Information Officer to the
37 State Chief Information Officer or an employee of the State Chief Information Officer are
38 considered to be references to the department or an employee of the department.

39 **SECTION 7.** Whenever, in any uncodified law or resolution of the Legislative Assembly
40 or in any rule, document, record or proceeding authorized by the Legislative Assembly, in
41 the context of the duties, functions and powers transferred by section 1 of this 2025 Act,
42 reference is made to the State Chief Information Officer, or an employee of the State Chief
43 Information Officer, whose duties, functions or powers are transferred by section 1 of this
44 2025 Act, the reference is considered to be a reference to the Oregon Department of Emer-
45 gency Management or an employee of the department who by this 2025 Act is charged with

1 **carrying out the duties, functions and powers.**

2
3 **CONFORMING AMENDMENTS**

4
5 **SECTION 8.** ORS 403.450 is amended to read:

6 403.450. (1) The State Interoperability Executive Council is created under the [*State Chief In-*
7 *formation Officer*] **Oregon Department of Emergency Management** to be the statewide interoper-
8 erability governing body serving as the primary steering group for the Oregon Statewide
9 Communication Interoperability Plan. The membership of the council consists of:

10 (a) Two members from the Legislative Assembly, as follows:

11 (A) The President of the Senate shall appoint one member from the Senate with an interest in
12 public safety communications infrastructure; and

13 (B) The Speaker of the House of Representatives shall appoint one member from the House of
14 Representatives with an interest in public safety and emergency communications infrastructure.

15 (b) The following members appointed by the Governor:

16 (A) One member from the Department of State Police;

17 (B) One member from the Oregon Department of Emergency Management;

18 (C) One member from the State Forestry Department;

19 (D) One member from the Department of Corrections;

20 (E) One member from the Department of Transportation;

21 (F) One member from the office of Enterprise Information Services;

22 (G) One member from the Oregon Health Authority;

23 (H) One member from the Oregon Military Department;

24 (I) One member from the Department of Public Safety Standards and Training;

25 (J) One member from the Oregon Broadband Advisory Council;

26 (K) One member from the Department of the State Fire Marshal;

27 (L) One member of an Indian tribe as defined in ORS 97.740 or a designee of an Indian tribe;
28 and

29 (M) One member of the public.

30 (c) The following members appointed by the Governor with the concurrence of the President of
31 the Senate and the Speaker of the House of Representatives:

32 (A) One member from the Oregon Fire Chiefs Association;

33 (B) One member from the Oregon Association Chiefs of Police;

34 (C) One member from the Oregon State Sheriffs' Association;

35 (D) One member from the Association of Oregon Counties;

36 (E) One member from the League of Oregon Cities;

37 (F) One member from the Special Districts Association of Oregon;

38 (G) One member who is an information technology officer of an Oregon city;

39 (H) One member who is an information technology officer of an Oregon county;

40 (I) One member who represents a nonprofit professional organization interested in the enhance-
41 ment of public safety communications systems;

42 (J) One member of the public who works or resides in Federal Communications Commission
43 Region 35; and

44 (K) One member from the Oregon emergency management community.

45 (2) Each agency or organization identified in subsection (1)(b)(A) to (J) and (1)(c)(A) to (H) of this

1 section shall recommend an individual from the agency or organization for membership on the
2 council.

3 (3) Members of the council are not entitled to compensation, but in the discretion of the [*State*
4 *Chief Information Officer*] **Oregon Department of Emergency Management** may be reimbursed
5 from funds available to the [*office of Enterprise Information Services*] **department** for actual and
6 necessary travel and other expenses the members incur in performing the members' official duties
7 in the manner and amount provided in ORS 292.495.

8 (4) Members of the Legislative Assembly appointed to the council are nonvoting members and
9 may act in an advisory capacity only.

10 **SECTION 9.** ORS 403.455 is amended to read:

11 403.455. The State Interoperability Executive Council created under ORS 403.450 shall:

12 (1) Develop, annually update and monitor implementation of the Oregon Statewide Communi-
13 cation Interoperability Plan, the goal of which is to achieve statewide interoperability of public
14 safety communications systems. To the maximum extent possible, the Oregon Statewide Communi-
15 cation Interoperability Plan shall align with and support the Enterprise Information Resources
16 Management Strategy described in ORS 276A.203. As part of the executive council's duties under
17 this subsection, the executive council shall:

18 (a) Recommend strategies to improve public safety communications interoperability among state,
19 local, tribal and federal public safety agencies;

20 (b) Develop standards to promote consistent design and development of public safety communi-
21 cations infrastructures and recommend changes in existing public safety infrastructures that are
22 necessary or appropriate for implementation of the interoperability plan;

23 (c) Identify immediate short-term technological and policy solutions to tie existing public safety
24 communications infrastructures together into an interoperable communications system;

25 (d) Develop long-term technological and policy recommendations to establish a statewide public
26 safety communications system to improve emergency response and day-to-day public safety oper-
27 ations; and

28 (e) Develop recommendations for legislation and for the development of state and local policies
29 that promote public safety communications interoperability in this state.

30 (2) Recommend to the Governor, for inclusion in the Governor's budget, investments by the State
31 of Oregon in public safety communications systems.

32 (3) Coordinate state, local and, as appropriate, tribal and federal activities related to obtaining
33 federal grants for support of interoperability and request technical assistance related to interoper-
34 ability.

35 (4) Conduct and submit an annual update of the interoperability plan to the United States De-
36 partment of Homeland Security, Office of Emergency Communications, aligning the update with
37 standards established in the National Emergency Communications Plan and by the federal office.

38 (5) Coordinate statewide interoperability activities among state, local and, as appropriate, tribal
39 and federal agencies.

40 (6) Advise the [*State Chief Information Officer*] **Oregon Department of Emergency Manage-**
41 **ment**, the Governor and the Legislative Assembly on implementation of the interoperability plan.

42 (7) Serve as the Governor's Public Safety Broadband Advisory Group.

43 (8) Report to the [*Joint Committee on Ways and Means or to the Joint Interim Committee on Ways*
44 *and Means, and to the Joint Legislative Committee on Information Management and Technology*]
45 **standing or interim committees related to ways and means, and to the standing or interim**

1 **committees related to emergency management**, on or before February 1 of each odd-numbered
2 year, on the development of the interoperability plan and the executive council's other activities.

3 (9) Adopt rules necessary to carry out the executive council's duties and powers.

4 **SECTION 10.** ORS 403.460 is amended to read:

5 403.460. (1) The [*State Chief Information Officer*] **Director of the Oregon Department of**
6 **Emergency Management** shall establish and fill a full-time equivalent position for a statewide
7 interoperability coordinator to serve as the central coordination point for the Oregon Statewide
8 Communication Interoperability Plan and, through coordination and collaboration with agencies and
9 entities in the emergency response community, to implement the interoperability plan.

10 (2) The statewide interoperability coordinator:

11 (a) Is the primary staff support provided by the [*State Chief Information Officer*] **Oregon De-**
12 **partment of Emergency Management** for the State Interoperability Executive Council created
13 under ORS 403.450;

14 (b) Shall assist the executive council in conducting and submitting annual updates to the inter-
15 operability plan, in coordination and collaboration with the emergency responders in this state;

16 (c) Shall ensure that the interoperability plan aligns with and supports the Enterprise Informa-
17 tion Resources Management Strategy;

18 (d) Shall identify funding opportunities for planned interoperability improvements and coordinate
19 efforts to acquire funding;

20 (e) Shall engage stakeholders to coordinate strategic interoperability plans;

21 (f) Shall serve as a member of the National Council of Statewide Interoperability Coordinators;
22 and

23 (g) Shall represent the State of Oregon in local, regional and national efforts to plan and im-
24 plement changes required to ensure communications operability, interoperability and continuity of
25 communications for emergency responders in this state.

26 (3) Public bodies, as defined in ORS 174.109, that own or operate public safety communications
27 infrastructure may collaborate and coordinate the public bodies' efforts and investments to achieve
28 the statewide interoperability goal the executive council sets and implement the interoperability
29 plan the executive council approves.

30 (4) Under the direction of the executive council and the [*State Chief Information Officer*] **Di-**
31 **rector of the Oregon Department of Emergency Management**, the statewide interoperability
32 coordinator may mediate disputes between public bodies collaborating to implement interoperable
33 public safety communications systems.

34 **SECTION 11.** ORS 403.465 is amended to read:

35 403.465. In consultation with the State Interoperability Executive Council created in ORS
36 403.450, the [*State Chief Information Officer*] **Director of the Oregon Department of Emergency**
37 **Management** shall:

38 (1) Facilitate decision making and planning for potential implementation of the FirstNet net-
39 work; and

40 (2) Make recommendations to the state agency responsible for administering federal funds from
41 the United States Department of Commerce, National Telecommunications and Information Admin-
42 istration.

43
44 **UNIT CAPTIONS**

