

Enrolled Senate Bill 859

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CHAPTER

AN ACT

Relating to accounting adjustments concerning the paid leave program; creating new provisions; amending ORS 657B.339; and prescribing an effective date.

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

SECTION 1. ORS 657B.339 is amended to read:

657B.339. (1) **As used in this section, “grant repayment” means a repayment of grant moneys awarded to an employer under ORS 657B.200 for which the employer was not eligible.**

(2) When in the judgment of the Director of the Employment Department the best interests of the Employment Department are served, the director may:

[(1)] (a) Waive, reduce or compromise any balance of \$10 or less from a contribution due under ORS 657B.150 **or a grant repayment due under ORS 657B.320.** [; or]

[(2)] (b) Retain any overpayment of \$10 or less from **the following amounts paid:**

(A) A contribution [paid] under [ORS 657B.150] **this chapter.**

(B) **An application fee under ORS 657B.210.**

(C) **A grant repayment collected under ORS 657B.320.**

(D) **A civil penalty assessed under ORS 657B.332.**

(E) **A monetary penalty assessed under ORS 657B.925.**

(c) **Waive, reduce or compromise any part or all of the interest and penalties, including civil penalties and monetary penalties, provided by this chapter with respect to contributions, grant repayments, employer-offered benefit plans approved under ORS 657B.210 and employer violations.**

(3) **The director may determine that the amount of contribution, grant repayment, interest or penalty due and unpaid by an employer on a delinquent account is uncollectible, and write off such amount, if:**

(a) **The delinquent amount has been reduced to the status of a lien or judgment under the provisions of this chapter and such lien or judgment has expired; or**

(b)(A) **The employer no longer has an active business in Oregon and has not had an active business within the three most recently completed calendar years; and**

(B) **There is little or no likelihood of recovering the amount due.**

(4) **In making the determination under subsection (3) of this section that a delinquent account is uncollectible, the director shall consider, among other factors:**

(a) **The administrative costs of continued collection efforts in relation to the amount due;**

(b) **The accessibility of the employer for effective collection actions; and**

(c) The employer's financial condition and ability to pay the amount due, both current and projected.

(5) A record shall be made showing the reasons for waiving, reducing, compromising or writing off amounts under this section. Such record shall be retained for a period of seven years from the date the account was written off.

SECTION 2. The amendments to ORS 657B.339 by section 1 of this 2025 Act apply to:

- (1) Contributions due or paid on or after January 1, 2023.
- (2) Grant repayments due or paid on or after September 3, 2023.
- (3) Application fees paid before, on or after January 1, 2023.
- (4) Penalties and interest assessed on or after January 1, 2023.

SECTION 3. This 2025 Act takes effect on the 91st day after the date on which the 2025 regular session of the Eighty-third Legislative Assembly adjourns sine die.

Passed by Senate February 4, 2025

Received by Governor:

.....M.,....., 2025

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Obadiah Rutledge, Secretary of Senate

Approved:

.....M.,....., 2025

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Rob Wagner, President of Senate

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Tina Kotek, Governor

Passed by House May 5, 2025

Filed in Office of Secretary of State:

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Julie Fahey, Speaker of House

.....M.,....., 2025

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Tobias Read, Secretary of State