

House Bill 4044

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Emergency Management and Veterans for Representative Thuy Tran)

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 creates a new office in DHS to provide human services in emergencies. The Act creates grant programs for emergencies. (Flesch Readability Score: 67.2).

Creates the Office of Resilience and Emergency Management within the Department of Human Services. Sets forth the powers and duties of the office.

Establishes the Oregon Public Assistance Grant Program, administered by the Oregon Department of Emergency Management, to issue grants to government units and certain nonprofit organizations to perform emergency-related work to protect public health, safety or property.

Establishes the Oregon Individual Assistance Grant Program, administered by the Department of Human Services, to issue grants to address critical emergency-related needs of individuals.

A BILL FOR AN ACT

1
2 Relating to emergency management; creating new provisions; and amending ORS 401.025 and
3 401.534.

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

5 **SECTION 1. (1) The Office of Resilience and Emergency Management is established**
6 **within the Department of Human Services.**

7 **(2) The Director of Human Services shall appoint a Director of Resilience and Emergency**
8 **Management. The Director of Resilience and Emergency Management shall supervise and**
9 **control the office and is responsible for the organization of the office and the performance**
10 **of the duties, functions and powers of the office.**

11 **(3) The office shall serve as the principal unit within the department responsible for:**

12 **(a) Coordinating emergency preparedness, response and recovery activities that affect**
13 **human services programs and clients; and**

14 **(b) Supporting the needs of the public when impacted by emergencies or other major**
15 **disruptions.**

16 **(4) In carrying out its responsibilities, the office shall:**

17 **(a) Coordinate with the Oregon Department of Emergency Management, local and tribal**
18 **governments and other public or private entities to ensure integrated planning and delivery**
19 **of mass care, individual assistance, human services recovery and intermediate housing;**

20 **(b) As requested by the Director of Human Services, support continuity of the**
21 **department's programs, operations, and service delivery before, during and after disruptions;**
22 **and**

23 **(c) Perform other duties assigned by the Director of Human Services or required by law**
24 **or rule.**

25 **(5) The office may enter into agreements and acquire services, materials, supplies or**
26 **equipment necessary to perform its duties before, during and after a disruption.**

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 **(6) The office may adopt rules necessary to implement and administer this section.**

2 **SECTION 2.** ORS 401.025 is amended to read:

3 401.025. As used in this chapter:

4 (1) "Emergency" means a human created or natural event or circumstance that causes or
5 threatens widespread loss of life, injury to person or property, human suffering or financial loss,
6 including but not limited to:

7 (a) Fire, wildfire, explosion, flood, severe weather, landslides or mud slides, drought, earthquake,
8 volcanic activity, tsunamis or other oceanic phenomena, spills or releases of oil or hazardous mate-
9 rial as defined in ORS 466.605, contamination, utility or transportation emergencies, disease, blight,
10 infestation, civil disturbance, riot, sabotage, acts of terrorism and war; and

11 (b) A rapid influx of individuals from outside this state, a rapid migration of individuals from
12 one part of this state to another or a rapid displacement of individuals if the influx, migration or
13 displacement results from the type of event or circumstance described in paragraph (a) of this sub-
14 section.

15 (2) "Emergency service agency" means an organization within a local government that performs
16 essential services for the public's benefit before, during or after an emergency, such as law
17 enforcement, fire control, health, medical and sanitation services, **human services**, public works
18 and engineering, public information and communications.

19 (3) "Emergency services" means activities engaged in by state and local government agencies
20 to prepare for an emergency and to prevent, minimize, respond to or recover from an emergency,
21 including but not limited to coordination, preparedness planning, training, interagency liaison, fire
22 fighting, oil or hazardous material spill or release cleanup as defined in ORS 466.605, law enforce-
23 ment, medical, health and sanitation services, **human services**, engineering and public works,
24 search and rescue activities, warning and public information, damage assessment, administration and
25 fiscal management, and those measures defined as "civil defense" in 50 U.S.C. app. 2252.

26 (4) "Local government" has the meaning given that term in ORS 174.116.

27 (5) "Major disaster" means any event defined as a "major disaster" under 42 U.S.C. 5122(2).

28 **SECTION 3.** ORS 401.534 is amended to read:

29 401.534. (1) The Oregon Disaster Response Fund is established in the State Treasury, separate
30 and distinct from the General Fund. **Interest earned by the Oregon Disaster Response Fund**
31 **must be credited to the fund.** Moneys received from federal grants for disaster response efforts
32 shall be deposited into the Oregon Disaster Response Fund. Moneys in the fund are continuously
33 appropriated to the Oregon Department of Emergency Management to be used to:

34 (a) Help state agencies and local government units with immediate disaster response and re-
35 covery efforts related to federally declared disasters in this state; and

36 (b) Implement long-term hazard mitigation measures after a federally declared disaster in this
37 state during the period of immediate recovery from the disaster.

38 (2) The Oregon Disaster Response Fund may receive gifts, grants, bequests, endowments and
39 donations from public and private sources for purposes related to the fund.

40 (3) The department shall adopt rules for the disbursement of moneys from the Oregon Disaster
41 Response Fund.

42 (4) If there are expenditures from the Oregon Disaster Response Fund, the Director of the
43 Oregon Department of Emergency Management shall report to the Emergency Board, or to the
44 Legislative Assembly if it is in session, on:

45 (a) The nature and severity of the disaster;

1 (b) The actual and projected deposits into the fund;

2 (c) The sources of actual and projected expenditures from the fund;

3 (d) The nature of in-kind donations received; and

4 (e) The rationale for expenditures and allocation of payments to state agencies and local gov-
5 ernment units.

6 (5) Following the final expenditure for a particular disaster, the director shall issue a final re-
7 port to the Emergency Board, or to the Legislative Assembly if it is in session. The report must
8 include an aggregate description of the factors described in subsection (4) of this section.

9 **SECTION 4. Sections 5 to 8 of this 2026 Act are added to and made a part of ORS chapter**
10 **401.**

11 **SECTION 5. (1) The Oregon Department of Emergency Management shall establish and**
12 **administer a state infrastructure emergency recovery grant program, to be known as the**
13 **Oregon Public Assistance Grant Program, to issue grants to qualified recipients, subject to**
14 **available funding.**

15 **(2) Grants under the program must be used to pay for work performed before, during or**
16 **after an emergency to protect public health, safety or property, including, without limitation,**
17 **debris removal and work to protect or restore public services or public infrastructure.**

18 **(3) The Governor may activate the program if:**

19 **(a) The Governor determines that an emergency has occurred or is imminent and finds**
20 **that assistance from the state is warranted; and**

21 **(b) The department recommends that the program be activated.**

22 **(4) The Governor shall inactivate the program when the Governor finds that assistance**
23 **from the state is no longer warranted.**

24 **(5) While the program is active, the department may issue grants to qualified recipients**
25 **pursuant to requests from counties or tribal entities. A request on behalf of a city may be**
26 **made by the county in which a geographic majority of the city lies. Requests must be in**
27 **writing and must include the following information:**

28 **(a) Confirmation that the requester has taken appropriate action under the local emer-**
29 **gency plan;**

30 **(b) An estimate of the amount and severity of damages and losses and a description of**
31 **the impact of the emergency on the public and private sectors;**

32 **(c) A description of the nature and amount of local resources which have been or will**
33 **be committed to alleviate the results of the emergency;**

34 **(d) A preliminary estimate of the types and amount of supplementary state emergency**
35 **assistance needed; and**

36 **(e) A certification by the requester that the obligations and expenditures for the current**
37 **emergency will comply with all applicable cost sharing requirements agreed on between the**
38 **department and the requester.**

39 **(6) The department may adopt rules to administer and implement the provisions of this**
40 **section, including rules governing eligibility requirements, the form and manner of requests**
41 **and evaluation of requests by the department.**

42 **(7) As used in this section, “qualified recipient” means:**

43 **(a) A state agency;**

44 **(b) A local government;**

45 **(c) A federally recognized Indian tribe in Oregon;**

1 (d) A school district or education service district; and

2 (e) A nonprofit organization that provides critical services or essential social services,
 3 such as a hospital, long term care facility, school, community center, food assistance pro-
 4 gram or shelter.

5 **SECTION 6.** The Oregon Public Assistance Grant Program Account is established in the
 6 State Treasury, separate and distinct from the General Fund. Interest earned by the account
 7 must be credited to the account. The account consists of moneys appropriated, allocated,
 8 deposited or transferred to the account by the Legislative Assembly or otherwise and inter-
 9 est earned on moneys in the account. The moneys in the account are continuously appro-
 10 priated to the Oregon Department of Emergency Management to carry out the Oregon Public
 11 Assistance Grant Program described in section 5 of this 2026 Act. The department shall en-
 12 sure that no more than 10 percent of the moneys in the account are used to pay costs of
 13 coordination and distribution of assistance under the program.

14 **SECTION 7.** (1) The Department of Human Services shall establish and administer an
 15 individual grant program, to be known as the Oregon Individual Assistance Grant Program,
 16 to issue grants to address critical emergency-related needs of qualified individuals, subject
 17 to available funding.

18 (2) The Governor may activate the program if:

19 (a) The Oregon Department of Emergency Management recommends that the program
 20 be activated, the Governor determines that an emergency has occurred or is imminent and
 21 the Governor finds that assistance from the state is warranted; or

22 (b) The Governor has declared an emergency under ORS 401.165.

23 (3) The Governor shall inactivate the program when the Governor finds that assistance
 24 from the state is no longer warranted.

25 (4) While the program is active, the Department of Human Services may issue grants
 26 pursuant to requests from counties or tribal entities. A request on behalf of a city may be
 27 made by the county in which a geographic majority of the city lies. Requests must be in
 28 writing and must include the following information:

29 (a) Confirmation that the requester has taken appropriate action under the local emer-
 30 gency plan;

31 (b) An estimate of the amount and severity of damages and losses and a description of
 32 the impact of the emergency on individuals and households;

33 (c) A description of the nature and amount of local resources which have been or will
 34 be committed to alleviate the results of the emergency; and

35 (d) A preliminary estimate of the types and amount of supplementary state emergency
 36 assistance needed.

37 (5) Grants under the program may be used only to pay for:

38 (a) The provision of services to qualified individuals for critical emergency-related needs,
 39 which may include, without limitation:

40 (A) Temporary rental assistance;

41 (B) Repair or replacement of owner-occupied homes that serve as a primary residence,
 42 including repair or replacement of privately owned access routes;

43 (C) Assistance with immediate needs;

44 (D) Assistance with essential personal property needs that are not covered by insurance;

45 (E) Assistance with other serious needs that are not covered by insurance; and

1 (F) Other critical emergency recovery services as approved by the Oregon Department
2 of Emergency Management; and

3 (b) Agreements with local governments, tribal entities or disaster recovery organizations
4 for the delivery of services described in paragraph (a) of this subsection, including payments
5 for staffing or other administrative needs.

6 (6) Assistance to individuals may be in the form of direct financial assistance or pay-
7 ments to another entity on behalf of individuals.

8 (7) The Department of Human Services, in consultation with the Oregon Department of
9 Emergency Management, shall adopt rules to administer and implement the provisions of
10 this section.

11 (8) As used in this section:

12 (a) "Immediate need" means:

13 (A) A life-saving or life-sustaining item or activity that is essential to prevent, mitigate
14 or overcome an adverse condition caused by an emergency; and

15 (B) Other equipment that is essential for daily household needs.

16 (b) "Qualified individual" means:

17 (A) An individual who is displaced by an emergency from the individual's primary resi-
18 dence;

19 (B) An individual whose primary residence is rendered uninhabitable by an emergency;
20 or

21 (C) An individual with a disability whose primary residence is rendered inaccessible or
22 uninhabitable to the individual as a result of damage caused by an emergency.

23 **SECTION 8.** (1) The Oregon Individual Assistance Grant Program Account is established
24 in the State Treasury, separate and distinct from the General Fund. Interest earned by the
25 account must be credited to the account. The account consists of moneys appropriated, al-
26 located, deposited or transferred to the account by the Legislative Assembly or otherwise
27 and interest earned on moneys in the account. The moneys in the account are continuously
28 appropriated to the Oregon Department of Emergency Management.

29 (2) The department may make moneys in the account available to the Department of
30 Human Services to carry out the Oregon Individual Assistance Grant Program described in
31 section 7 of this 2026 Act. Moneys that are made available from the account to the Depart-
32 ment of Human Services that are not expended for the Oregon Individual Assistance Grant
33 Program must be redeposited in the account.

34 **SECTION 9.** The Oregon Department of Emergency Management and the Department of
35 Human Services shall establish an agreement and protocols for sharing data related to the
36 Oregon Public Assistance Grant Program and the Oregon Individual Assistance Grant Pro-
37 gram established under sections 5 and 7 of this 2026 Act.

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