

**Enrolled**  
**House Bill 2919**

Sponsored by Representatives NOLAN, READ; Representatives BARKER, FREDERICK, HOYLE,  
NATHANSON, J SMITH, Senator EDWARDS (Presession filed.)

CHAPTER .....

AN ACT

Relating to grants made from Building Opportunities for Oregon Small Business Today Account;  
creating new provisions; and amending section 2, chapter 93, Oregon Laws 2010.

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

**SECTION 1.** Section 2, chapter 93, Oregon Laws 2010, is amended to read:

**Sec. 2.** (1) As used in this section and section 3, **chapter 93, Oregon Laws 2010** [*of this 2010 Act*]:

(a) "BOOST Account" means the Building Opportunities for Oregon Small Business Today Account established under section 3, **chapter 93, Oregon Laws 2010** [*of this 2010 Act*].

(b) "Comparable wages" means wages that are reasonably equivalent to wages paid to other employees of a small business employer regardless of position.

(c) "Full-time" means a minimum of 35 hours per week or 25 hours per week with health benefit plan coverage.

(d) "Health benefit plan" has the meaning given that term in ORS 743.730.

(e) "Small business employer" means a business having 100 or fewer employees in a traded sector industry.

**(f) "Veteran" has the meaning given that term in ORS 408.225.**

[(f)] **(g) "Wages"** means all compensation for performance of personal services by an employee for a small business employer, including salaries, commissions, benefits, the cash value of all compensation paid in any medium other than cash and any other form of remuneration paid to employees for personal services.

(2) Any small business employer may file with the Oregon Business Development Department an application to borrow money, or an application for a grant of financial assistance, from the BOOST Account for industry development purposes as defined by rule of the department. The application shall be filed in the manner and be accompanied by such information as the department may prescribe by rule.

(3) The department may approve an application for a loan or grant under this section if, after investigation, the department finds that:

(a) The applicant demonstrates a reasonable capacity to increase employment opportunities in this state or, in the case of a loan, demonstrates a reasonable capacity to retain existing jobs in this state.

(b) The applicant has established goals of creating new full-time jobs in Oregon or, in the case of a loan, has established goals of retaining existing jobs in Oregon, with a reasonable prospect of achieving such goals.

- (c) The applicant has a demonstrated history of providing comparable wages to its employees.
- (d) In the case of a loan, the applicant can provide good and sufficient collateral for the loan.
- (e) Moneys are or will be available in the BOOST Account.

(4)(a) Following the department's approval of an application under subsection (3) of this section, the department may:

(A) Enter into a loan contract with the applicant of not more than \$150,000, secured by good and sufficient collateral, with a plan for repayment not to exceed four years. The contract entered into under this subparagraph shall contain a repayment plan that includes the amount of interest to be charged and information about appropriate legal remedies the department may pursue to secure repayment upon the applicant's default or failure to comply with the contract, including withholding of any amounts otherwise due. The department shall develop rules governing repayment of loans under this subparagraph and the collection of moneys owed to the BOOST Account. The department may take any action permitted by statute or rule that the department deems necessary to secure the repayment of the loan.

(B) Make grants not to exceed \$2,500 per new full-time job established by the applicant after the date of approval of its application. A grant may not be made under this subparagraph unless the new full-time employee has been unemployed for at least 60 days preceding the date of hire **or unless the new full-time employee is a veteran**, and the new full-time job is held by the employee for a minimum period of six consecutive months. The total sum of moneys paid under this subparagraph may not exceed \$50,000 per applicant in any calendar year. Grants made under this subparagraph shall be paid in the quarter following receipt by the department of a report from the applicant that provides information about new full-time jobs established by the applicant and upon verification of employment in a manner to be established by the department by rule.

(b) In entering into loan contracts under paragraph (a)(A) of this subsection, the department shall give preference to an applicant that proposes to create new full-time jobs.

**SECTION 2. The amendments to section 2, chapter 93, Oregon Laws 2010, by section 1 of this 2011 Act apply to grants made by the Oregon Business Development Department from the Building Opportunities for Oregon Small Business Today Account on or after the effective date of this 2011 Act.**

Passed by House April 19, 2011

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 Ramona Kenady Line, Chief Clerk of House

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 Bruce Hanna, Speaker of House

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 Arnie Roblan, Speaker of House

Passed by Senate May 10, 2011

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 Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2011

Approved:

.....M,....., 2011

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 John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M,....., 2011

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 Kate Brown, Secretary of State