

A-Engrossed
Senate Bill 616

Ordered by the Senate March 16
Including Senate Amendments dated March 16

Sponsored by Senators GELSER, WINTERS

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.

Requires [*State Treasurer*] **Secretary of State** to conduct investigation of Community Housing Trust Account, within Developmental Disabilities Community Housing Fund[, *and to recommend*] **Directs State Treasurer to develop and make recommendations for investment strategy to maximize interest and income in account. Sunsets June 30, 2016.**

Allows moneys in account, with approval of State Treasurer, to be invested and earnings credited to account.

Directs [*State Treasurer*] **Secretary of State** to report to Legislative Assembly on or before February 1, 2016.

[*Sunsets June 30, 2016.*]

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to the Community Housing Trust Account within the Developmental Disabilities Commu-
3 nity Housing Fund; creating new provisions; amending ORS 427.340; and declaring an emer-
4 gency.

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

6 **SECTION 1. (1) The Secretary of State shall conduct an investigation of the Community**
7 **Housing Trust Account established under ORS 427.340. The Department of Human Services**
8 **shall cooperate with and assist the Secretary of State in the investigation.**

9 **(2) The investigation shall determine the current status of assets in the account and shall**
10 **include findings regarding the following:**

11 **(a) The amount and date of deposit of any proceeds from the sale, transfer or lease of**
12 **any state training center as defined in ORS 427.345, including but not limited to the Eastern**
13 **Oregon Training Center;**

14 **(b) How proceeds from the sale, transfer or lease of any state training center as defined**
15 **in ORS 427.345 have been applied or disbursed to or from the account; and**

16 **(c) How earnings on the account have been credited or expended by the department.**

17 **(3) The State Treasurer shall develop and make recommendations for an investment**
18 **strategy for the Community Housing Trust Account established under ORS 427.340 that**
19 **maximizes interest earned on funds deposited in the account and any income from the lease**
20 **of surplus property by the department.**

21 **(4) On or before February 1, 2016, the Secretary of State shall report, to interim com-**
22 **mittees of the Legislative Assembly with subject matter jurisdiction of persons with intel-**
23 **lectual and developmental disabilities, regarding the investigation undertaken and the**

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 **investment strategy developed under this section.**

2 **SECTION 2. Section 1 of this 2015 Act is repealed on June 30, 2016.**

3 **SECTION 3.** ORS 427.340 is amended to read:

4 427.340. (1) There is established a Developmental Disabilities Community Housing Fund in the
5 State Treasury, separate and distinct from the General Fund. All moneys in the **Developmental**
6 **Disabilities Community Housing** Fund are continuously appropriated to the Department of Human
7 Services to pay expenses incurred by the Department of Human Services in carrying out the pro-
8 visions of ORS 427.330 and 427.335. Interest earned on moneys in the fund shall be credited to the
9 fund.

10 (2) There is established within the fund a Community Housing Trust Account. Notwithstanding
11 the provisions of ORS 270.150, the Department of Human Services shall negotiate with the Oregon
12 Department of Administrative Services to apply the proceeds from the sale, transfer or lease of any
13 surplus real property owned, operated or controlled by the Department of Human Services and used
14 as a state training center to the account. The Department of Human Services may expend, for the
15 purposes of ORS 427.330 to 427.345, any earnings credited to the account, including any income from
16 the lease of surplus property and any interest earned on moneys deposited in the account, and up
17 to five percent of any sale or transfer proceeds initially credited to the account by the Oregon De-
18 partment of Administrative Services. At least 95 percent of all sale or transfer proceeds shall remain
19 in the account in perpetuity.

20 (3) The fund shall consist of:

21 (a) Moneys appropriated to the fund by the Legislative Assembly;

22 (b) Repayment of financial assistance provided to housing providers or care providers for com-
23 munity housing under ORS 427.335 (3);

24 (c) Proceeds from the account under subsection (2) of this section;

25 (d) Moneys reallocated from other areas of the Department of Human Services' budget; and

26 (e) **Any earnings or** interest credited to the fund.

27 **(4) Moneys in the Community Housing Trust Account may, with the approval of the State**
28 **Treasurer, be invested as provided under ORS 293.701 to 293.857, and the earnings from such**
29 **investments must be credited to the Community Housing Trust Account.**

30 [(4)] (5) The Department of Human Services shall provide a report of revenues to and expen-
31 ditures from the fund as part of its budget submission to the Governor and Legislative Assembly
32 under ORS chapter 291.

33 **SECTION 4. This 2015 Act being necessary for the immediate preservation of the public**
34 **peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect**
35 **on its passage.**

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