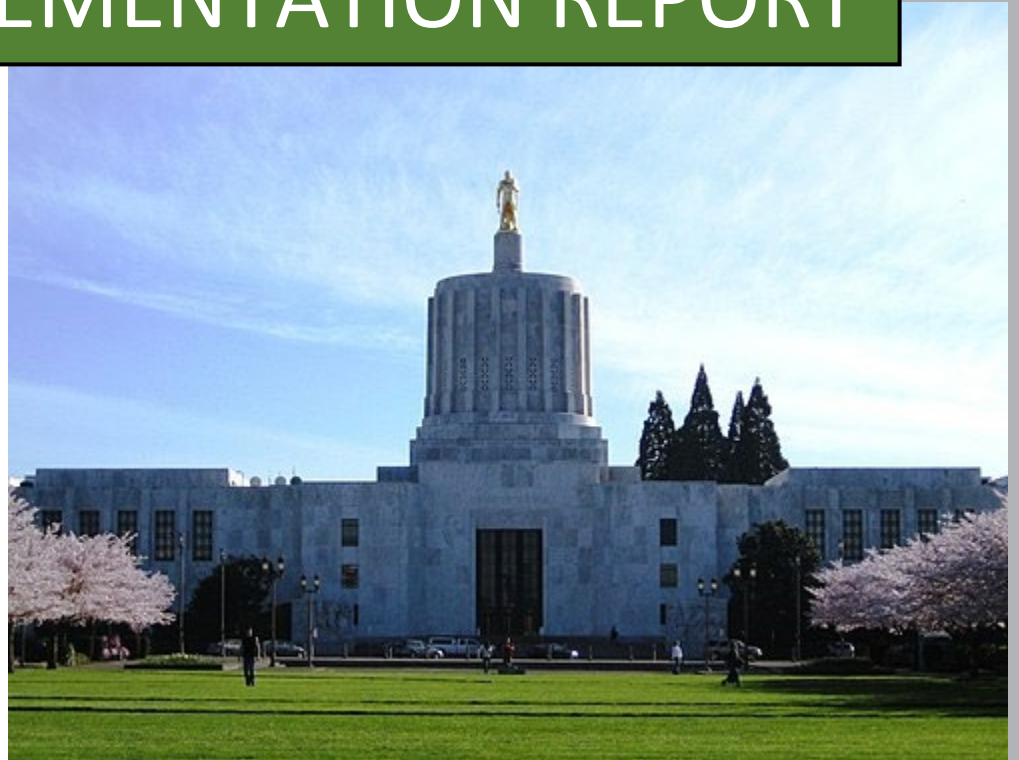


2023

OCCA LEGISLATIVE IMPLEMENTATION REPORT



Oregon Community College Association

8/21/2023

**Prepared by OCCA Staff
August 21, 2023**

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Bill Number	Effective Date(s)	Summary, Requirements & Action Needed	Relevant Affinity Group(s)
Campus Safety			
HB 2049 Oregon Cybersecurity Center of Excellence	August 1, 2023	<p>Transfers Oregon Cybersecurity Advisory Council from office of Enterprise Information Services to Oregon Cybersecurity Center of Excellence.</p> <p>HB 2049 established the Oregon Cybersecurity Center of Excellence and the accompanying Oregon Cybersecurity Advisory Council. The center is intended to support public entities, including community colleges, with cybersecurity-related issues.</p> <p><u>Section 7</u>: Oregon Cybersecurity Center of Excellence.</p> <p>(1) The Oregon Cybersecurity Center of Excellence is established at Portland State University. The center shall operate under the joint direction and control of Portland State University, Oregon State University and the University of Oregon. A director shall be appointed to oversee the center pursuant to procedures set forth in the charter developed and adopted under subsection (5) of this section.</p> <p>(2) The purpose of the center is to supplement the activities of the State Chief Information Officer regarding cybersecurity in this state by coordinating, funding or providing:</p> <p>(a) Awareness, education and training about cybersecurity and cybersecurity-related issues for public, private and nonprofit sectors;</p> <p>(b) Cybersecurity workforce development programs in coordination with:</p> <p>(A) Public universities listed in ORS 352.002;</p> <p>(B) Community colleges operated under ORS chapter 341; and..."</p> <p>The Cybersecurity Advisory Council will include 15 Governor-appointed voting members, one of which will be a representative of an Oregon community college.</p> <p>Action: Community colleges will need to identify a representative to serve on the Cybersecurity Center of Excellence Advisory Committee.</p>	Cybersecurity/ IT Administrators

Bill Number	Effective Date(s)	Summary, Requirements & Action Needed	Relevant Affinity Group(s)
HB 2490 Exemption from Disclosure Records	January 1, 2024	<p>Exempts from required disclosure records concerning cybersecurity plans, devices, and systems, including contractual and insurance records setting forth specifications, applications, and coverages.</p> <p>Action: Allows colleges to withhold records related to cybersecurity plans and systems from public disclosure. This will protect sensitive cybersecurity documents that relate to the protection IT, computer, and communications systems from threat or attack.</p>	Public Records Officials
Education Policy			
SB 217 Cosmetology Curriculum	<p>September 24, 2023</p> <p>Section 2 and 3: July 1, 2024</p>	<p>Requires that cosmetology curriculum taught by school meet standards established by Board of Cosmetology and be approved by Health Licensing Office.</p> <p><u>Section 2:</u> The Health Licensing Office may adopt rules to carry out its duties under ORS 690.005 to 690.225.</p> <p><u>Section 3:</u> The Board of Cosmetology shall convene a curriculum requirements advisory committee consisting of representatives of schools. The advisory committee shall make recommendations to the board regarding curriculum requirements for a field of practice as described in ORS 690.046. Prior to adopting rules regarding the curriculum requirements, the board shall consult with the advisory committee.</p> <p>This bill transfers the responsibility of oversight of curriculum in the field of cosmetology from the Higher Education Coordinating Commission (HECC) to the Health Licensing Office (HLO) and adds a licensed practitioner of cosmetology who is a representative of a cosmetology school to the Board of Cosmetology. The Board of Cosmetology will set standards for curricula that will be approved by HLO.</p> <p><i>NOTE: Cosmetology programs that already have approval from HECC may continue to teach the curriculum unless the HLO determines that the curriculum be approved by the office pursuant to the rules adopted by the Board of Cosmetology.</i></p> <p>Action: If a college wants to add a cosmetology program, it needs to be aware of the new approval process for cosmetology curriculum.</p>	CIA, Cosmetology Director (if applicable)
Ethics			

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HB 2038 Statement of Economic Interest Requirements	January 1, 2024	<p>Requires statement of economic interest to include certain information about sources of income for business in which public official or candidate, or member of household of public official or candidate, is officer, holds directorship or does business under if source of income has legislative or administrative interest and 10 percent or more of total gross annual income of business comes from that source of income.</p> <p><i>NOTE: Community college board of education members are not required to submit statements of economic interest.</i></p> <p>Action: New information may be required for reporting on next year’s statement of economic interest. This information may be kept confidential if a formal request is made to the Oregon Government Ethics Commission (OGEC) and meets other requirements. Rules will be developed by OGEC related to the implementation of these new reporting requirements.</p>	Presidents; Chief Financial Officers
HB 2805 Communication Modalities and Public Meetings Law	September 24, 2023 Training requirement effective date: January 1, 2024	<p>Provides that use of serial electronic written communication or use of intermediaries to communicate may constitute meeting of governing body subject to public meetings law if other specified conditions are satisfied.</p> <p>Clarifies that public meetings law does not apply to communications between board members that are factual or educational in nature and convey no deliberation or decision on any matter that might come before the board, not related to any matter that might come before the board, or are non-substantive in nature such as related to scheduling, leave of absence, or other similar matters.</p> <p>Makes changes to Oregon public meetings law to update and clarify definitions of “convening” and “deliberation”:</p> <p>“Convening” means: (a) Gathering in a physical location; (b) Using electronic, video or telephonic technology to be able to communicate contemporaneously among participants; (c) Using serial electronic written communication among participants; or (d) Using an intermediary to communicate among participants.</p> <p>“Deliberation” means discussion or communication that is part of a decision-making process.</p>	Board of Education Members; Presidents; Board Secretary/ Executive Assistants

Bill Number	Effective Date(s)	Summary, Requirements & Action Needed	Relevant Affinity Group(s)
		<p>Adds new public meetings law training requirement for members of governing bodies of a public body with total fiscal year expenditures of \$1 million or more.</p> <p>Gives Oregon Government Ethics Commission (OGEC) authority to investigate complaints about potential violations of public meetings law.</p> <p>Action: Every board of education member and OCCA Board member must attend training authorized by OGEC at least once during the member’s term of office and must verify attendance as prescribed by OGEC. OGEC will develop training and a process to allow other entities to provide approved training.</p>	
HB 2806 Allowance of Executive Session for Matters of Safety and Security	July 13, 2023	<p>Authorizes governing body of public body to meet in executive session to consider matters relating to safety of governing body, public body staff and public body volunteers and to security of public body facilities and meeting spaces and relating to cybersecurity infrastructure and responses to cybersecurity threats. Adds two new exemptions to Oregon public meetings law to allow the board to meet in closed session to discuss these.</p> <p>Action: Update list of executive session exemptions with new statutory citations ORS 192.660(2)(o) - safety and security, and ORS 192.660(2)(p) - cybersecurity.</p>	Board Secretary/ Executive Assistants; Board of Education
Financial Aid			
SB 449 Oregon Opportunity Grant and Former Foster Children	June 7, 2023	<p>Permits adopted former foster children to have amount of tuition and all fees waived if attending defined institutions of higher education for purposes of pursuing initial undergraduate degree.</p> <p>SB 449 adds adopted former foster children to the current tuition waiver for foster and former foster youth. This legislation retained the last-dollar approach to the waiver, so it is only applies after other available state and federal aid such as the Oregon Opportunity Grant, the Oregon Promise, and the Pell Grant.</p> <p>The legislation defines “Adopted former foster child” as an individual who, for a total of six or more months, was:</p>	Financial Aid Administrators

Bill Number	Effective Date(s)	Summary, Requirements & Action Needed	Relevant Affinity Group(s)
		<p>(A) A ward of the court pursuant to ORS 419B.100 (1)(b) to (e) and in the legal custody of the Department of Human Services for out-of-home placement prior to becoming an adopted child; or</p> <p>(B) An Indian child subject to ORS 419B.600 to 419B.654, under the jurisdiction of a tribal court for out-of-home placement prior to becoming an adopted child.</p> <p>Action: The Office of Student Access & Completion (OSAC) will provide a list to college financial aid offices of students who are eligible for this waiver though it is likely the vast majority of students will be Pell eligible, in which case the waiver would not apply.</p>	
Health Care			
HB 3223 Dental Assisting Exam	September 24, 2023	<p>Allows Oregon Board of Dentistry to require applicant for certification as dental assistant to pass written examination.</p> <p>HB 3223 makes changes to the requirements the Oregon Board of Dentistry may have for dental assisting exam. The legislation creates two new testing pathways in addition to the current practice of tests through the Dental Assisting National Board and requires tests be offered in Spanish and Vietnamese by 2025. Below are the specific provisions:</p> <p><u>Section 2</u></p> <p>(A) Administered by a dental education program in this state that is accredited by the Commission on Dental Accreditation of the American Dental Association, or its successor organization, and approved by the board by rule;</p> <p>(B) Administered by a dental education program in this state that is approved by the Commission for Continuing Education Provider Recognition of the American Dental Association, or its successor organization, and approved by the board by rule; or</p> <p>(C) An examination comparable to an examination described in subparagraph (A) or (B) of this paragraph that is administered by a testing agency approved by the board by rule; and</p> <p>(b) Offered in plain language in English, Spanish and Vietnamese.</p>	Dental Directors

Bill Number	Effective Date(s)	Summary, Requirements & Action Needed	Relevant Affinity Group(s)
		<p>(2) The board may not require an applicant for certification as a dental assistant, including any type of expanded function dental assistant, to complete more than one written examination for certification as that type of dental assistant.</p> <p>Action: Colleges utilizing the Dental Assisting National Board (DANB) Exams should not have to make any change as DANB’s representative testified that they could fulfill the additional language requirements by 2025 as described above.</p> <p>Section 2(A) also could allow a community college to create its own certification exams that would then need to be approved by the Oregon Board of Dentistry. The college would also be responsible for providing the Spanish and Vietnamese versions of the exams.</p>	
<p>SB 523 Bachelor of Science in Nursing at Community Colleges</p>	<p>January 1, 2024</p>	<p>Authorizes community colleges to offer Bachelor of Science in Nursing (BSN) degrees.</p> <p>This legislation permits the Higher Education Coordinating Commission (HECC) to authorize post-licensure Bachelor of Science: Nursing programs at community colleges after completing the standard program approval process.</p> <p>Action: No action is required, but colleges may now seek approval for BSN programs.</p>	<p>Presidents; Board of Education; Nursing Directors</p>
Operations			
<p>HB 2740 PERS Clock Hours Calculation</p>	<p>January 1, 2024</p>	<p>Modifies method for calculation of hours of employment of academic employees of community colleges and public universities for purposes of Public Employees Retirement System (PERS).</p> <p>Changes existing FTE standard for reporting academic employee hours to a uniform factor for classroom and lecture hours. This requires community colleges to report PERS hours using a new multiplier where each hour assigned to the academic employee as an hour of lecture time or as an hour of classroom time constitutes 2.67 hours of employment.</p> <p>Under existing PERS rules “academic employee” is defined as “an instructor who teaches classes offered for college-approved credit or on a non-credit basis. Librarians, counselors, and aides in non-teaching positions, tutors, or other non-teaching faculty,</p>	<p>HR Directors</p>

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		<p>and classified, professional or nonprofessional support staff are not academic employees for the purposes of ORS 238.074” or ORS 238A.174. See OAR 459-010-0012 and 459-070-0001. PERS will have to revise these rules to remove FTE language and add the new uniform multiplier.</p> <p>Action: Update process for reporting PERS hours for all academic employees to ensure hours are reported using the new multiplier.</p>	
<p>SB 271 Record Submission Following Changes in District Boundaries</p>	<p>March 21, 2023 HECC deadline to post maps: January 1, 2024</p>	<p>Requires governing bodies of counties to submit to Department of Education record showing any changes in boundaries of school districts over which board has jurisdiction. The Higher Education Coordinating Commission (HECC) shall make available to the public on the commission’s website a record of the boundaries of all community college districts and community college service districts in this state.</p> <p>Action: There is no action required of colleges, but HECC might request information on college district boundaries to meet the posting requirements of this legislation.</p>	<p>Presidents; Executive Assistants</p>
<p>SB 543 Prohibition on the Use of Polystyrene Foam</p>	<p>January 1, 2025</p>	<p>Prohibits a food vendor from using polystyrene foam container in selling, offering for sale, serving, or dispensing prepared food to consumer. Prohibits person from selling, offering for sale, or distributing polystyrene foam containers, polystyrene foam packaging peanuts, or food containers containing intentionally added perfluoroalkyl or polyfluoroalkyl substances in or into this state. Establishes civil penalty not to exceed \$100 per day for food vendor that violates prohibition of providing prohibited containers and \$500 per day for person selling, offering, or distributing prohibited containers in or into the state.</p> <p>Action: Before January 1, 2025, ensure food vendors on campus are not using polystyrene foam containers in selling, offering for sale, serving, or dispensing prepared foods.</p>	<p>Food Services; Business Officers</p>
<p>HB 3456 Sexual Misconduct Survey Council</p>	<p>August 1, 2023 First applies 2023-24 academic year</p>	<p>Establishes Sexual Misconduct Survey Council. Creates new responsibilities for Higher Education Coordinating Commission (HECC) and public and private higher education institutions, including community colleges. Requires institutions of higher education to conduct a statewide biennial survey of students and employees on experiences of sexual misconduct; to employ or partner to provide at least one certified advocate as</p>	<p>Title IX Coordinators; Student Services; HR Directors; Registrars</p>

<i>Bill Number</i>	<i>Effective Date(s)</i>	<i>Summary, Requirements & Action Needed</i>	<i>Relevant Affinity Group(s)</i>
	<p>Council must provide base survey to institutions: January 1, 2024</p> <p>First institution reports due: October 1, 2024</p>	<p>part of its victim services program; to enter into a memorandum of understanding with a community-based domestic and sexual violence advocacy agency to provide victim services; to provide annual sexual misconduct training to students and employees; to waive academic success requirements of institution-sponsored programs and activities for students who experience sexual misconduct; and to submit annual report on allegations and investigations of and support services for sexual misconduct.</p> <p>Requires HECC to provide staff support to Council, establish a repository for all summary of sexual misconduct climate surveys, report to Legislature by September 15 of each year each instance during the previous academic year in which an institution violated or failed to carry out requirements of the Act. Provides rulemaking authority to HECC.</p> <p>Action: This bill includes many new requirements for community colleges as outlined below:</p> <p>Administer survey created by the Sexual Misconduct Survey Council at least once every two years, beginning in 2024. Survey must be offered online to all students, including students who have taken a leave of absence or studying abroad and allow for anonymous responses. Institutions can request to include additional, institution-specific questions to Council subject to approval. Within 120 days after survey completion colleges must: 1) submit aggregate summary of survey results to HECC, and 2) post survey summary on institution website along with other security reports required by federal government and links to repository of prior survey summaries (repository created by HECC). Section 4.</p> <p>Employ at least one certified advocate as part of an institution-based qualified victim service program. This requirement does not apply to community colleges if the college partners with a local victim advocacy organization to provide a certified advocate and ensures advocate has on-campus hours and services are provided free of charge to enrolled students. Section 6.</p> <p>Enter into a memorandum of understanding with a community-based domestic and sexual violence advocacy agency that is in the same county as the institution. Sets out</p>	

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		<p>specific requirements for the MOU. Permits MOU to include an agreement including fee structure between agency and institution to provide confidential victim services. Allows HECC to waive these requirements if commission determines college is unable to enter into an MOU. Does not apply to satellite or branch campuses. Section 7.</p> <p>Prohibits discipline or sanction for violation of student conduct policies related to drug and alcohol use, trespassing/unauthorized entry, or other school policy violations discovered in connection with alleged sexual misconduct when a reporting party or witness requests an investigation. Allow exception if college determines request was not made in good faith or violation is “egregious violation.” Define egregious violation as action that places health and safety of another individual at risk. Section 8.</p> <p>Establish a “trauma-informed, gender-inclusive sexual misconduct primary prevention and awareness training that must be attended annually by each student and employee of the institution.” Student is defined as a student enrolled at least half-time in an academic credit bearing program. The trainings must be accessible to individuals with a disability and be culturally responsive. Includes requirements for specific training subjects related to consent, including the role played by drugs and alcohol; options relating to the reporting of an incident of sexual misconduct; information on the institution’s procedures for resolving sexual misconduct reports and the range of sanctions or penalties the institution may impose on students and employees responsible for a violation; name, contact information and role of the certified advocate employed by the institution; strategies for bystander intervention and risk reduction; and opportunities for ongoing sexual misconduct prevention and awareness training and programming. Section 9.</p> <p>Allow required waiver of minimum GPA or disciplinary record required to demonstrate academic success that are part of program or activity identified by institution for any participant who has experienced sexual misconduct or has been granted a waiver by a certified advocate employed by the institution, the Title IX coordinator, the student basic needs coordinator, law enforcement personnel at the institution, the student’s academic advisory, or any disability resource center personnel. Section 10.</p>	

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		<p>No later than October 1 each year, colleges must submit a report to: Secretary of Senate and the Chief Clerk of the House of Representatives, interim committees relating to higher education, HECC, and the Director of Human Services. Section 11. The report shall include the following:</p> <ul style="list-style-type: none"> • The total number of allegations of intimate partner violence, domestic violence, sexual assault, sexual harassment and stalking that were reported to the institution’s Title IX coordinator by a student or employee of the institution against another student or employee of the institution during the previous academic year; • The number of law enforcement investigations known to have been initiated during the previous academic year in response to reports of sexual misconduct that were brought forward by a student or employee of the institution against another student or employee of the institution; • The number of students and employees at the institution who were found responsible during the previous academic year for violating the institution’s policies prohibiting sexual misconduct; • The number of students and employees at the institution who during the previous academic year, faced academic or employment disciplinary action due to having violated the institution’s policies prohibiting sexual misconduct; • The number of students and employees at the institution who, during the previous academic year, were investigated, but found not responsible for having violated the institution’s policies prohibiting sexual misconduct; and • The number of students at the institution who, during the previous academic year, requested supportive measures, and the number of supported measures granted to each requesting student. 	
<p>SB 424 Prohibition on Transcript Withholding for Debt</p>	<p>Section 1: 2024-2025 academic year</p>	<p>Prohibits post-secondary institutions of education that are based in Oregon from refusing to provide transcript to current or former student because student owes debt to institution.</p> <p>Action: No later than September 15, 2024, each post-secondary institution of education that is based in this state shall file a report with the Higher Education Coordinating</p>	<p>Business Officers; Student Services; Registrars</p>

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	Report: Due no later than September 15, 2024 for 2023-24 academic year. Reporting requirement repealed July 2, 2025	<p>Commission (HECC). The report shall include the following information for the 2023-2024 academic year:</p> <p>(1) The number of current and former students at the institution who owe a debt to the institution; and</p> <p>(2) The institution's policy and procedures on phasing out transcript holds.</p> <p>Colleges are no longer permitted to place transcript holds due to student debt as of the 2024-25 academic year.</p>	
PERS			
HB 2296 Extension of Sunset on Reemployment Hours of Retired PERS Members	January 1, 2024	<p>Extends sunset from 2024 to 2034 on provisions allowing retired member of Public Employees Retirement System (PERS) to be reemployed by participating public employer for unlimited number of hours without reduction in pension benefits.</p> <p>Action: No action required. Extends existing work after retirement law that allows PERS retirees to work after retirement subject to approval by employer. PERS employers are required to continue to pay the employer rate for employees who are granted reemployment.</p>	HR Directors
Personnel			
HB 2611 Part-time Faculty Health Care	August 1, 2023	<p>Requires that dental and vision are included in health benefits available to part-time faculty members.</p> <p>HB 2611 makes several changes affecting the health benefits and process for determining eligibility for health care benefits provided to part-time faculty in ORS 350.355 as well as a new notification requirement. The plans administered in this benefit remain primarily state-funded with 90 percent of the benefit reimbursed through the Higher Education Coordinating Commission (HECC).</p> <p>The changes include:</p> <ul style="list-style-type: none"> • Addition of vision and dental benefits 	HR Directors, Business Officers

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		<ul style="list-style-type: none"> Eligibility will now be determined by a faculty member’s PERS eligibility. If the faculty member is PERS-eligible they are now eligible for the plans under ORS.350.355. The new language is below. <p>“Except as provided in paragraph (b) of this subsection, a part-time faculty member at a public institution of higher education is eligible for the same employee-only health care benefits, including dental benefits and vision benefits, as full-time faculty members if the part-time faculty member is eligible for membership in the Public Employees Retirement System or another plan authorized under ORS chapter 238 or 238A by teaching either at a single public institution of higher education or in aggregate at multiple public institutions of higher education during the previous academic year.”</p> <p>The legislation requires that colleges notify part-time faculty who have been employed the current and previous academic year of:</p> <p>“(A) The eligibility requirements to receive health benefits under this section;</p> <p>(B) The health care benefits and associated costs available to qualifying part-time faculty members; and</p> <p>(C) Instructions on how part-time faculty members may apply to receive health care benefits under this section.”</p> <p>Action: Colleges will now use Public Employee Retirement System (PERS) eligibility to determine whether a part-time faculty member is eligible for health care under ORS 350.355.</p> <p>Colleges must now notify part-time faculty of eligibility requirements, benefits available and instructions on how to apply as described above.</p>	
<p>SB 168 Public Employees and Support of Public Officials</p>	<p>January 1, 2024</p>	<p>Explicitly prohibits public employee from promoting or opposing appointment, nomination, or election of a person to public office, and from promoting or opposing the filing of initiative, referendum, or recall petition, while on job during working hours or while otherwise working in official capacity.</p>	<p>HR Directors</p>

Bill Number	Effective Date(s)	Summary, Requirements & Action Needed	Relevant Affinity Group(s)
		<p>Allows public employee to communicate with separate public employee or elected official about the appointment of person to public office when communication is part of recipient’s official duties related to an appointment required by Oregon Constitution or state statute. Excludes periods of time during which public employee takes time off for meal or rest breaks, or other allowable time, in accordance with Oregon labor laws, from meaning of when an employee is on the job during work hours.</p> <p>Current law (ORS Chapter 260) prohibits a public employee, while on the job during work hours, from promoting or opposing any political committee; the nomination or election of a candidate; the gathering of signatures on an initiative, referendum, or recall petition; the adoption of a measure; or the recall of a public office holder.</p> <p>Senate Bill 168 (2023) replaces the term “candidate” with “person to a public office” and clarifies that public employees are prohibited from promoting or opposing the appointment, nomination, or election of a person to an elected office while on the job during working hours or otherwise acting in the public employee’s official capacity. The measure also prohibits a public employee from promoting or opposing the filing of an initiative, referendum, or recall petition.</p> <p>Action: Post in a conspicuous place likely to be seen by employees the following notice in printed or typewritten form:</p> <p style="text-align: center;">ATTENTION ALL PUBLIC EMPLOYEES:</p> <p><i>The restrictions imposed by the law of the State of Oregon on your political activities are that “No public employee shall solicit any money, influence, service or other thing of value or otherwise promote or oppose any political committee; promote or oppose the appointment, nomination or election of a person to a public office; or promote or oppose the filing of or gathering of signatures on an initiative, referendum or recall petition or the adoption of a measure or the recall of a public office holder while on the job during working hours or while otherwise acting in the public employee’s official capacity as a public employee. However, this section does not restrict the right of a public employee to express personal political views, provided that a reasonable person</i></p>	

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		<p><i>would not infer that the views represent those of the public employer of the public employee.”</i></p> <p><i>It is therefore the policy of the state and of your public employer that you may engage in political activity except to the extent prohibited by state law when on the job during working hours or while otherwise working in your official capacity as a public employee.</i></p>	
<p>SB 489 Unemployment Benefits and Nonprofessional Education Workers</p>	<p>January 1, 2024</p>	<p>Eliminates restrictions on payment of unemployment insurance benefits to certain nonprofessional educational workers.</p> <p>The unemployment insurance (UI) program has special provisions that apply to people who work for educational institutions, generally restricting employees from receiving UI benefits during school breaks, including summer break. Federal law affords little flexibility to states in applying those laws to employees performing instructional, research, or principal administrative work, but provides greater flexibility on their application to people who perform other types of services, such as bus drivers, janitorial workers, and school nurses.</p> <p>House Bill 2660 (2019) allowed janitorial and maintenance employees of public and nonprofit educational institutions to receive unemployment insurance, if standard eligibility requirements are met, during school breaks, vacations, and holidays in situations where the employee has a reasonable assurance of returning to work after the break.</p> <p>Senate Bill 489 (2023) extends those benefits to all educational workers who are not performing instructional, research, or principal administrative work.</p> <p>Action: Starting January 1, 2024, education employees at community colleges are eligible for unemployment benefits during breaks, vacations and holidays, so long as standard eligibility requirements are met, and the employee is not performing instructional, research, or principle administrative work.</p>	<p>HR Directors</p>
Public Contracting			

<i>Bill Number</i>	<i>Effective Date(s)</i>	<i>Summary, Requirements & Action Needed</i>	<i>Relevant Affinity Group(s)</i>
HB 2295 Public Contracting Preference Expansion – Veterans	September 24, 2023	<p>Broadens public contracting preference for businesses that service-disabled veterans own to include all veteran-owned businesses.</p> <p>Action: For new contracts considered on or after September 24, 2023, preference may be given to all veteran-owned businesses.</p>	Procurement; Business Officers
HB 2649 Public Improvement Contracts and Outreach and Recruitment of Underrepresented Populations	<p>September 24, 2023</p> <p>Operative date for contracts advertised, solicited, or entered into after: January 1, 2024</p>	<p>Provides that qualifying agency must require as material provision of public improvement contract that contractor establish and implement plan for outreach to and recruitment and retention of women, minority individuals and veterans to perform work under public improvement contract, with aspirational target of having individuals in one or more of these groups perform at least 15 percent of total work hours that workers perform under public improvement contract. Adds higher education institutions, including community colleges, to the definition of qualifying agency. Applies to public improvement projects with contract price over \$3 million and subcontracts of \$750,000 or more.</p> <p>Adds new reporting requirements for each contract or subcontract related to public improvement contract and requires qualifying agencies to determine extent of contractor’s compliance with the new requirements before making final payment. Requires qualifying agencies to report to the Bureau of Labor and Industries (BOLI) no later than 30 days after final payment, information provided by contractor and the agency’s determination.</p> <p>Requires qualifying agencies to reduce payment to contractor, and permits contractor to reduce payment to subcontractor, when contractor or subcontractor does not meet 12 percent or more apprenticeship utilization requirement. Amount of reduction is to be equivalent to difference between total number of work hours that apprentices in apprenticeable occupations should have performed on the public improvement project less total number of work hours that apprentices actually performed on public improvement project, multiplied by \$15 per hour. Amount of reduction in payment is paid to BOLI to expand apprenticeship training programs, with a focus on programs in areas of this state where contractors did not meet apprenticeship utilization requirements.</p>	Procurement; Business Officers

Bill Number	Effective Date(s)	Summary, Requirements & Action Needed	Relevant Affinity Group(s)
		<p>Action: Update material requirements of public improvement contracts where contract price exceeds \$3 million to include new requirements related to apprenticeship and outreach. Develop method for assessing and justifying contractor compliance, and reporting to BOLI subject to rules that will be developed by BOLI prior to operative date. Monitor BOLI rulemaking process.</p>	
<p>HB 3572 Procurement Preference of Public Use Goods</p>	<p>Effective: September 24, 2023</p> <p>Provisions related to preference: January 1, 2024</p>	<p>Permits contracting agency to grant preference to procuring for public use goods or services that are provided by benefit company incorporated, organized, formed, or created under laws of this state, if goods or services cost no more than five percent more than goods or services available from contractor that is not benefit company.</p> <p>In 2013, House Bill 2296 created a new corporation status for benefit companies. A benefit company is a type of corporation or limited liability company that considers its impact on society and the environment in addition to earning a profit. Benefit company status only affects corporate purpose, accountability, and transparency and does not change tax or tax- exempt status. As of March 2023, there are currently 2,635 active benefit companies operating in Oregon.</p> <p>This bill encourages contracting agencies to grant preference to procuring public use goods and services by a benefit company, whose majority of their regular and full-time workforce operates in Oregon at the time of bidding. It allows procurement preference only if the goods and services are not more than five percent of the goods and services available from a non-benefit company contractor.</p> <p>Action: When considering a public contracting bid on or after January 1, 2024, preference may be given to a designated benefit company, even if they are not the lowest responsible bidder so long as the benefit company's bid is within a 5 percent price difference.</p>	<p>Procurement; Business Officers</p>
<p>SB 1047 Increase in Contract Price Threshold for Public Contracts Procurement</p>	<p>Effective: September 24, 2023</p>	<p>Raises contract price threshold under which contracting agency may apply certain solicitation and procurement methods for public contracts.</p> <ul style="list-style-type: none"> • Increases small procurement dollar threshold from \$10,000 to \$25,000; and • intermediate procurement dollar threshold from \$150,000 to \$250,000. 	<p>Procurement; Business Officers</p>

<i>Bill Number</i>	<i>Effective Date(s)</i>	<i>Summary, Requirements & Action Needed</i>	<i>Relevant Affinity Group(s)</i>
	Provisions related to thresholds: January 1, 2024	<p>By increasing the small procurement dollar threshold to \$25,000 and intermediate procurement dollar threshold to \$250,000, more contracts will be considered Small and Intermediate Procurements, which are simpler and faster for firms to navigate.</p> <p>Action: When considering procurement for public contracts on or after January 1, 2024, the new maximum threshold for small procurement contracts is \$25,000, and the threshold for intermediate contracts is now \$25,000 to \$250,000. The minimum threshold required for formal competitively bid contracts is \$250,000. The community college rules of procurement and local college contracting agency rules should be updated to reflect the new threshold amounts for each category of procurements.</p>	
Workforce			
SB 4 Grant and Loan Program for Production of Semiconductors	April 13, 2023	<p>Directs Oregon Business Development Department to develop grant and loan program to support businesses applying for financial assistance under Creating Helpful Incentives to Produce Semiconductors for America Act of 2022 (P.L. 117-167).</p> <p>SB 4 is intended to attain federal CHIPS (Creating Helpful Incentives to Produce Semiconductors) matching funds. For this purpose, the Legislation appropriated \$200 million for private sector grants and loans. Grants and loans may be used for activities undertaken in connection with the federal semiconductor financial assistance program; development of sites for semiconductor or other advanced manufacturing facilities; research and development with respect to semiconductors and advanced manufacturing; or partnering with institutions of higher education, for workforce development and training, and registered apprenticeship and internship opportunities, with respect to semiconductors and advanced manufacturing. Contractors or subcontractors on construction projects funded by these grants or loans must pay the prevailing rate of wage.</p> <p>Action: No action is required, but colleges may have opportunities to partner with private sector recipients of the funds appropriated by SB 4.</p>	Presidents; CIA; CTE Deans