

**Enrolled**  
**Senate Bill 1550**

Sponsored by Senator JAMA (Pre-session filed.)

CHAPTER .....

AN ACT

Relating to the Office of Immigrant and Refugee Advancement; creating new provisions; amending ORS 185.650; and declaring an emergency.

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

**TRANSFER**

**SECTION 1.** The duties, functions and powers of the office of the Governor relating to the Office of Immigrant and Refugee Advancement are imposed upon, transferred to and vested in the Department of Human Services.

**RECORDS, PROPERTY, EMPLOYEES**

**SECTION 2.** (1) The office of the Governor shall:

(a) Deliver to the Department of Human Services all records and property within the jurisdiction of the office of the Governor that relate to the duties, functions and powers transferred by section 1 of this 2022 Act; and

(b) Transfer to the Department of Human Services those employees engaged primarily in the exercise of the duties, functions and powers transferred by section 1 of this 2022 Act.

(2) The Department of Human Services shall take possession of the records and property, and shall take charge of the employees and employ them in the exercise of the duties, functions and powers transferred by section 1 of this 2022 Act, without reduction of compensation but subject to change or termination of employment or compensation as provided by law.

(3) The Governor shall resolve any dispute between the office of the Governor and the Department of Human Services relating to transfers of records, property and employees under this section, and the Governor's decision is final.

**UNEXPENDED REVENUES**

**SECTION 3.** (1) The unexpended balances of amounts authorized to be expended by the office of the Governor for the biennium ending June 30, 2023, from revenues dedicated, continuously appropriated, appropriated or otherwise made available for the purpose of administering and enforcing the duties, functions and powers transferred by section 1 of this 2022 Act are transferred to and are available for expenditure by the Department of Human Ser-

vices for the biennium ending June 30, 2023, for the purpose of administering and enforcing the duties, functions and powers transferred by section 1 of this 2022 Act.

(2) The expenditure classifications, if any, established by Acts authorizing or limiting expenditures by the office of the Governor remain applicable to expenditures by the Department of Human Services under this section.

#### **ACTION, PROCEEDING, PROSECUTION**

**SECTION 4.** The transfer of duties, functions and powers to the Department of Human Services by section 1 of this 2022 Act does not affect any action, proceeding or prosecution involving or with respect to the duties, functions and powers begun before and pending at the time of the transfer, except that the Department of Human Services is substituted for the office of the Governor in the action, proceeding or prosecution.

#### **LIABILITY, DUTY, OBLIGATION**

**SECTION 5.** (1) Nothing in sections 1 to 7 of this 2022 Act relieves a person of a liability, duty or obligation accruing under or with respect to the duties, functions and powers transferred by section 1 of this 2022 Act. The Department of Human Services may undertake the collection or enforcement of any such liability, duty or obligation.

(2) The rights and obligations of the office of the Governor legally incurred under contracts, leases and business transactions executed, entered into or begun before the operative date of section 1 of this 2022 Act accruing under or with respect to the duties, functions and powers transferred by section 1 of this 2022 Act are transferred to the Department of Human Services. For the purpose of succession to these rights and obligations, the Department of Human Services is a continuation of the office of the Governor and not a new authority.

#### **RULES**

**SECTION 6.** Notwithstanding the transfer of duties, functions and powers by section 1 of this 2022 Act, the rules of the office of the Governor with respect to such duties, functions or powers that are in effect on the operative date of section 1 of this 2022 Act continue in effect until superseded or repealed by rules of the Department of Human Services. References in the rules of the office of the Governor to the office of the Governor or an officer or employee of the office of the Governor are considered to be references to the Department of Human Services or an officer or employee of the Department of Human Services.

**SECTION 7.** Whenever, in any uncodified law or resolution of the Legislative Assembly or in any rule, document, record or proceeding authorized by the Legislative Assembly, in the context of the duties, functions and powers transferred by section 1 of this 2022 Act, reference is made to the office of the Governor, or an officer or employee of the office of the Governor, whose duties, functions or powers are transferred by section 1 of this 2022 Act, the reference is considered to be a reference to the Department of Human Services or an officer or employee of the Department of Human Services who by this 2022 Act is charged with carrying out the duties, functions and powers.

#### **CONFORMING AMENDMENTS**

**SECTION 8.** ORS 185.650 is amended to read:

185.650. (1) There is established within the [*office of the Governor*] **Department of Human Services** the Office of Immigrant and Refugee Advancement for the purpose of operating a statewide immigrant and refugee integration strategy.

(2) The Office of Immigrant and Refugee Advancement is under the supervision and control of a director, who is responsible for the performance of the duties, functions and powers of the office. The director shall be chosen through an open hiring process. In addition to the director, the office shall include at least the following full-time staff members:

- (a) One staff member who focuses on community partnerships;
- (b) One staff member who focuses on data collection and research; and
- (c) One staff member who focuses on administrative support for the office.

(3) The office shall:

(a) Advocate for and partner with statewide immigrant and refugee programs and services that coordinate with long-term support services to meet the needs of immigrant and refugee populations in this state;

(b) Collect data on immigrant and refugee populations in this state for the purposes of determining the needs of the populations and tracking progress in reducing social, economic and health disparities for the populations;

(c) Monitor and protect data collected under this subsection and ensure that any data collected and maintained by the office is not disclosed to any person or entity not affiliated with the office;

(d) Track state legislation that impacts immigrant and refugee populations in this state;

(e) Ensure that any racial and ethnic impact statements for legislation accurately include the impact to immigrants and refugees in this state who are individuals who are Black, indigenous or other people of color;

(f) Advocate for resources from the federal government to support the immigrant and refugee populations;

(g) Monitor and, unless prohibited by federal or state law or rule, publish any investments made by the state for the benefit and support of the immigrant and refugee populations;

(h) Partner with other state agencies as needed to meet the objectives of the office;

(i) Partner with community-based organizations as needed to meet the objectives of the office; and

(j) Adopt rules as necessary to carry out this section.

#### UNIT CAPTIONS

**SECTION 9.** The unit captions used in this 2022 Act are provided only for the convenience of the reader and do not become part of the statutory law of this state or express any legislative intent in the enactment of this 2022 Act.

#### OPERATIVE AND EFFECTIVE DATES

**SECTION 10.** (1) Sections 1 to 7 of this 2022 Act and the amendments to ORS 185.650 by section 8 of this 2022 Act become operative 91 days after the effective date of this 2022 Act.

(2) The office of the Governor and the Department of Human Services may take any action before the operative date specified in subsection (1) of this section that is necessary for the Department of Human Services to exercise, on and after the operative date specified in subsection (1) of this section, all of the duties, functions and powers conferred on the Department of Human Services by sections 1 to 7 of this 2022 Act and the amendments to ORS 185.650 by section 8 of this 2022 Act.

**SECTION 11.** This 2022 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2022 Act takes effect on its passage.

**Passed by Senate February 25, 2022**

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

**Passed by House March 3, 2022**

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Dan Rayfield, Speaker of House

**Received by Governor:**

.....M,....., 2022

**Approved:**

.....M,....., 2022

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Kate Brown, Governor

**Filed in Office of Secretary of State:**

.....M,....., 2022

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Shemia Fagan, Secretary of State