

**Oregon State Treasury**  
**Administrative Rules Annual Report**  
**HB 4106 (2016 Session)**

Report contains rules filed during calendar year January 01, 2018 and December 31, 2018

**Rules Adopted, Amended, or Repealed [ORS 183.335(2) and (3)]**

Adopted	22
Amended	15
Repealed	0

**Temporary Rules Adopted, Amended, or Suspended [ORS 183.335(5)]**

Adopted	0
Amended	5
Suspended	0

**OST 2-2018**                      **Filed: 08/27/2018 1:03 PM**

170-061-0015                      Amend

170-062-0000                      Amend

**Statement of Need**

Conform to Federal Law changes related to advance refunding.

**Justification**

In response to the Federal Tax Cuts and Jobs Act, enacted December 22, 2017, The current rule does not conform, and causes process and economic hardship to entities implementing refunding plans.

**OST 5-2018**                      **Filed: 10/16/2018 12:57 PM**

170-080-0010                      Amend

170-080-0015                      Amend

170-080-0020                      Amend

**Statement of Need**

Conform Rules to current practice allowing two methods of exemption from the Program.

**Justification**

At the October 2018 Board meeting, staff discovered that one important rule change was overlooked in the most recent permanent rulemaking process. The Program newly implemented a second method for employer exemption from the Program, which involves checking the Department of Labor's 5500 database and matching filers with Oregon employers. The Program has already sent thousands of notices to Oregon businesses stating that they are presumed exempt from the Program through this process. Failure to immediately amend the rules will put these employers in a situation where they can comply with the notice and be out of compliance with the Program rules. This may cause confusion for employers, increasing call volumes to our call center and taking up employer's time unnecessarily to determine that if they are in compliance with the state mandate. Amending the rules temporarily will allow the Program to convey the correct message, while we simultaneously run a full permanent rulemaking round to collect stakeholder input and public comment prior to finalizing the rules.

