

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 3144 - A

Seventy-Seventh Oregon Legislative Assembly – 2013 Regular Session
Legislative Fiscal Office

*Only Impacts on Original or Engrossed
Versions are Considered Official*

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Date: 4/12/13

Measure Description:

Adds to and modifies provisions of statutes related to the administration and enforcement of the state building code; allows for director of DCBS to establish agreements for provision of administration and enforcement of state building code in geographical regions; allows DCBS to establish, collect and expend fees under those agreements without regard to existing fee schedules or certain statutes governing the general administration of state finances; makes fees charged not subject to approval by the Department of Administrative Services; allows individual to request DCBS to provide inspection services even when a municipality provides services in the location of the proposed project; allows, with certain limitations, the establishment of staff and use of available resources deemed necessary for the fulfillment of obligations of agreements established under the provisions of the bill; allows for the establishment of rules and policies to support provisions of the measure.

Government Unit(s) Affected:

Department of Consumer and Business Services (DCBS)

Summary of Expenditure Impact:

Please see analysis

Local Government Mandate:

This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

Analysis:

The fiscal impact of the measure is indeterminate. The bill allows for a number of significant changes to the current operations of the Building Codes Division (BCD) of the Department of Consumer and Business Services (DCBS). Included in these changes is the ability to enter into agreements with municipalities for the administration and enforcement of state building codes. For the purpose of carrying out these agreements the measure sets aside a wide number of procedural and financial administration statutes allowing the director of DCBS to make changes to the amount, collection and disbursement of fees and funds, using these resources to provide for an undefined number of staff and supporting administrative infrastructure. Although the measure appears to limit the use of resources to the legislatively approved limitations on expenditures and personnel, the setting aside of the statutes related to financial administration of funds may be construed to allow for the expenditure of funding in an extra-budgetary manner. The number and scope of these agreements is unknown, the possible revenue and costs due to the agreements are unknown, and the changes and additions to fees allowed by the bill are unknown. Therefore the fiscal impact is indeterminate. Since the measure allows for significant changes to the establishment, collection, and use of fees as well as the use of resources for additional staffing, it is recommended that the measure be referred to the Joint Committee on Ways and Means.