

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 3088

80th Oregon Legislative Assembly – 2019 Regular Session
Legislative Fiscal Office

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

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Measure Description:

Increases maximum penalty for certain wildlife law offenses committed with culpable mental state to five years' incarceration, \$125,000 fine, or both.

Government Unit(s) Affected:

Counties, Department of Justice (DOJ), District Attorneys and their Deputies (DAs), Oregon Judicial Department (OJD), Department of Corrections (DOC), Department of Fish and Wildlife (ODFW), Oregon State Police (OSP)

Summary of Fiscal Impact:

Costs related to the measure may require budgetary action - See analysis.

Analysis:

This bill makes hunting from a motor-propelled vehicle a Class A violation if the offense is committed without a culpable mental state and makes violations of the wildlife laws or a rule adopted pursuant to the wildlife laws a Class C felony under certain circumstances. This bill also requires the Attorney General to make one or more employees of the Department of Justice available to a local government to assist the local government with prosecuting violations of wildlife laws.

Department of Justice

Under this bill, local governments could request investigative support from a Criminal Investigator in the Criminal Justice Division, prosecutorial support from an Assistant Attorney General in the Environmental Crimes and Cultural Resources Unit, or other support from the Department of Justice for assistance in prosecuting violations of wildlife laws. It is unclear how often or in what form these requests would be made. The staffing level necessary to meet these future requests by local governments cannot be determined. Further, the Department of Justice does not have a billing relationship with local governments. The fiscal impact to the Department of Justice is indeterminate.

Oregon Judicial Department, Oregon Department of Corrections, Oregon State Police

Per the Criminal Justice Commission, there have only been two cases related to the crimes outlined in this bill in the past seven years, and both were sentenced to probation. While additional investigatory assistance from the Attorney General may increase criminal prosecutions for these crimes, the Oregon Judicial Department, the Department of Corrections, and the Oregon State Police anticipate only a minimal fiscal impact from this bill.

The Department of Fish and Wildlife will have no fiscal impact from this bill.