

FISCAL IMPACT OF PROPOSED LEGISLATION

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

Measure: HB 3145 - A6

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

Prepared by: Meg Bushman-Reinhold
Reviewed by: Theresa McHugh, Gregory Jolivet
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Measure Description:

Establishes Task Force on Public Defense.

Government Unit(s) Affected:

Office of the Governor, Oregon Judicial Department (OJD), Public Defense Services Commission (PDSC),
Legislative Assembly, Legislative Policy and Research Office (LPRO)

Analysis:

This bill creates the 17-member Task Force on Public Defense to review requirements and best practices related to the delivery and oversight of public defense services and make recommendations to the Legislative Assembly for achieving effective public defense counsel in every courthouse in Oregon.

Legislative Policy and Research Office (LPRO)

The bill requires LPRO to provide staff support to the task force. The 2019-21 Legislative Branch budget contains funds allocated for LPRO support of interim committees and task forces.

Legislative Assembly

Four members of the task force will be legislative members who are entitled to per diem and travel reimbursement. Costs are expected to be \$5,886 based on four members, seven meetings, an operative date of July 1, 2019, and a sunset date of February 1, 2021.

Although the 2019-21 Legislative Assembly budget contains funds allocated for interim committees and task forces, if the work required by this task force, or if the cumulative enactment of other legislation with interim committees and task forces exceeds expenditure levels beyond those assumed in the 2019-21 budget, additional General Fund resources may be required. The task force would not incur additional costs to the Legislative Assembly budget if the meetings are held at the Capitol building during Legislative Session, Task force, or Legislative Days.

Public Defense Services Commission and Office of Public Defense Services

The fiscal impact of this bill to the Public Defense Services Commission (PDSC) and the Office of Public Defense Services (OPDS) is indeterminate depending on the level of contribution required of the agency. The bill requires PDSC and OPDS to each appoint a representative to the task force. OPDS anticipates reprioritizing the duties and responsibilities of existing staff to allow participation on the task force. However, if OPDS is expected to perform additional research and/or data collection, these costs cannot be quantified until the task force convenes and defines the scope of this work. If the task force member from PDSC is not a state government employee, that individual will be entitled to reimbursement for actual expenses from the Governor's Office.

Office of the Governor

This bill requires the Governor to appoint seven members to the task force, including a member of the Governor's Office. Costs associated with making the appointments and providing a representative to the task force can be absorbed within existing resources. There is a minimal fiscal impact of \$20,000 to reimburse eligible task force members for actual expenses incurred in the performance of their duties, as provided in ORS 292.495.

Oregon Judicial Department (OJD)

This bill requires the Chief Justice of the Supreme Court to appoint six members of the task force. At least one of these members needs to be a trial court judge. Another member must be a state trial court administrator. Judicial Department staff may be required to gather information about the current and past performance of the public defender system, including data from the case-tracking and case-management systems and information regarding court operations and procedures. The impact on OJD staff and trial court judge time is anticipated to be absorbable within existing resources.