

FISCAL IMPACT OF PROPOSED LEGISLATION

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

Measure: HB 2849 - A

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

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Measure Description:

Heightens standards for taking child into protective custody with or without court order.

Government Unit(s) Affected:

Department of Human Services (DHS), Department of Justice (DOJ), Oregon Judicial Department (OJD), Oregon State Police (OSP)

Analysis:

This fiscal impact statement is for the purpose of transmitting the measure from the House Committee on Judiciary to the Joint Committee on Ways and Means.

The measure heightens the standard for when a child can be taken into protective custody. Akin to the warrant process in criminal cases, this may require judicial determinations to be made prior to the removal of a child at any time the circumstances become present such as nights, weekend, and/or holidays. The process for applying for a court protective order may be by application to a judge through affidavit, declaration, or sworn oral statement.

The measure is anticipated to have an impact on the Department of Human Services, the Department of Justice and the Oregon Judicial Department.

The Department of Human Services provided a preliminary fiscal impact estimate for the 2019-21 biennium of \$17,542,444 General Fund and \$5,071,811 Federal Funds for 135 positions (101.00 FTE), which includes additional costs for representation from the Department of Justice. The fiscal impact to the Oregon Judicial Department is indeterminate.

The fiscal impact on the Oregon State Police is anticipated to be minimal.

A more complete fiscal analysis on the measure will be prepared as the measure is considered in the Joint Committee on Ways and Means.

Further Analysis Required