

**FISCAL IMPACT OF PROPOSED LEGISLATION**

**Measure: HB 4145**

80th Oregon Legislative Assembly – 2020 Regular Session  
Legislative Fiscal Office

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

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**Measure Description:**

Creates crime of unlawfully threatening a school or place of worship.

**Government Unit(s) Affected:**

Oregon State Police (OSP), Department of Justice (DOJ), Cities, Oregon Judicial Department (OJD), District Attorneys and their Deputies (DAs), Counties, Public Defense Services Commission (PDSC), Department of Corrections (DOC)

**Summary of Fiscal Impact:**

Costs related to the measure are anticipated to be minimal - See explanatory analysis.

**Analysis:**

HB 4145 creates the crime of unlawfully threatening a school or place of worship. The new offense is a Class A misdemeanor. However, if the defendant has previously been convicted of unlawfully threatening a school or place of worship or disorderly conduct in the first degree, then the offense may be charged as a Class C felony. While this is a new crime, this behavior would likely have been previously charged as disorderly conduct in the first degree.

This bill also requires that the sentence for someone convicted of unlawfully threatening a school or place of worship include a term of supervised probation and a mental health assessment.

The Criminal Justice Commission estimates an additional 2 felony convictions per year for unlawfully threatening a school or place of worship, and that the crime will be sentenced at a crime seriousness level 4. The sentencing trends are assumed to be 3% sentenced to prison (average sentence length of 13.5 months), 53% sentenced to local control (average sentence length of 2.3 months), and 44% sentenced to probation (average sentence length of 24 months).

The Criminal Justice Commission (CJC) estimates the 2019-21 impact to be 3 prison bed days, 23 Post-Prison Supervision days, 54 probation days and 21 Local Control bed days.

Department of Corrections

For 2019-21 biennium, this bill is expected to have a fiscal impact of \$1,252 General Fund on the Department of Corrections (DOC), which will increase to \$17,723 General Fund in 2021-23.

HB 3194 (2013) requires a 10-year estimate of the fiscal impact for measures creating new crimes or impacting sentences. DOC anticipates the costs for the 2023-25 biennium to be \$28,443 General Fund, and then \$29,449 General Fund in 2025-27 and \$29,459 General Fund in 2027-29.

This bill is anticipated to have a minimal fiscal impact on the Oregon State Police, the Department of Justice, the Oregon Judicial Department, District Attorneys and their Deputies, Cities, Counties, and the Public Defense Services Commission.