

**FISCAL IMPACT OF PROPOSED LEGISLATION**

**Measure: SB 819 - 1**

81st Oregon Legislative Assembly – 2021 Regular Session  
Legislative Fiscal Office

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

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**Measure Description:**

Establishes procedure by which district attorney and incarcerated person may jointly petition sentencing court for reconsideration of conviction and sentence.

**Government Unit(s) Affected:**

District Attorneys and their Deputies (DAs), Department of Justice (DOJ), Criminal Justice Commission (CJC), Public Defense Services Commission (PDSC), Department of Corrections (DOC), Oregon Judicial Department (OJD)

**Summary of Fiscal Impact:**

Costs related to the measure are indeterminate at this time - See explanatory analysis.

**Summary of Expenditure Impact:**

See Analysis.

**Analysis:** This measure establishes procedures by which district attorney and incarcerated person may jointly petition sentencing court for reconsideration of conviction and sentence and authorizes court to, upon granting petition, resentence person on original conviction, vacate previous judgment of conviction, accept plea to new offense and impose sentence on new offense. The measure also directs the district attorney (DA) to notify victim or survivor of victim of reconsideration hearing and process.

The fiscal impact is indeterminate. It is unknown how adults in custody (AIC) would have the cooperation of the DA for a reconsideration, what portion of reconsiderations would be approved, how they would affect sentences, and how many would result in vacating the original sentence and crediting earned time, therefore the fiscal impact is indeterminate, but would likely result in a decrease in costs to the Department of Corrections.

The Department of Justice, District Attorneys, Criminal Justice Commission, Public Defense Services Commission, and the Oregon Judicial Department anticipate a minimal fiscal impact due to this measure.