

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: SB 193 - MRA

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

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

Prepared by: Tim Walker
Reviewed by: Julie Neburka, Paul Siebert, John Borden
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Measure Description:

Directs State Court Administrator to study issues relating to courts and report to committee or interim committee of Legislative Assembly no later than December 31, 2022.

Government Unit(s) Affected:

Department of Justice (DOJ), Oregon Judicial Department (OJD), Department of Administrative Services (DAS), Oregon Youth Authority (OYA)

Summary of Fiscal Impact:

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

Summary of Expenditure Impact:

See Analysis.

Analysis: The measure makes statutory modifications based on recent U.S. Supreme Court decision and requires guilty verdict that must be by unanimous agreement and not guilty verdict by concurrence of at least 10 of 12 jurors. The measure also establishes a 13-member Task Force on Noneconomic Damages and directs Task Force to study appropriate limitation on noneconomic damages claims in civil actions and the basis to endure that the limitation does not violate Article I, Section 10 of the Oregon Constitution and requires Task Force issue report, and allows recommendations for legislation, to the appropriate committee or interim committee of the Legislative Assembly no later than September 15, 2023.

The bill specifies that non-legislative members of the task force serve as volunteers and are not entitled to compensation and reimbursement. However, four members of the task force will be legislative members who are entitled to per diem and travel reimbursement. The estimated per diem and travel reimbursement cost for the four legislative members is \$804 per day. This amount includes the Federal Insurance Contribution Act (FICA) tax, and assumes per diem remains at \$142 per day, and the average mileage of 90 miles at the current rate of \$0.535 per mile. Although the 2021-23 Legislative Assembly budget contains funds allocated for interim committee and task force, 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 2021-23 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.

The measure is recommended to be referred to the Joint Committee on Ways and Means for consideration of its budgetary impact on the State’s General Fund.