

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 2110

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

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

Prepared by: Haylee Morse-Miller
Reviewed by: Kim To
Date: March 22, 2021

Measure Description:

Modifies costs for petitioners filing notice of petition with Land Use Board of Appeals.

Government Unit(s) Affected:

Land Use Board of Appeals (LUBA)

Summary of Fiscal Impact:

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

Summary of Revenue Impact:

	2021-23 Biennium	2023-25 Biennium
Other Funds	27,300	27,300
Total Funds	\$27,300	\$27,300

Analysis:

HB 2110 increases filing fees charged by the Land Use Board of Appeals (LUBA), from \$200 to \$300, when a petitioner files a notice of intent to appeal a land use decision. This measure further abolishes a deposit that petitioners are also currently required to pay when filing a notice of intent to appeal. This measure declares an emergency and takes effect July 1, 2021.

The increase in filing fees, from \$200 to \$300 per notice of intent to appeal, is anticipated to increase these revenues by approximately \$27,300 per biennium. An average of 273 notices of intent to appeal are filed each biennium, and LUBA currently collects \$54,600 biennially from these charges. Should this measure pass, LUBA would expect to collect close to \$81,900 each biennium. This fee was last increased in 2009. All filing fee revenue is deposited in the General Fund.

Abolishing the deposit for a notice of intent to appeal will have no impact on LUBA. Currently, when an appeal is resolved by LUBA, the deposit is awarded to a local government or returned to the petitioner, depending on the outcome of the appeal. LUBA does not retain any portion of the deposit. LUBA anticipates that abolishing the deposit will increase administrative efficiency as staff will no longer be required to track these funds.