

[FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 3040 - A

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

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

Prepared by: Michael Graham
Reviewed by: Matt Stayner, Zane Potter, John Terpening, Laurie Byerly, Kim To, Michelle Deister
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Measure Description:

Requires the Housing and Community Services Department to conduct a comprehensive study of system development charges.

Government Unit(s) Affected:

Department of Environmental Quality (DEQ), Department of Revenue (DOR), Oregon Business Development Department (OBDD), Housing and Community Services Department (HCSD), Department of Land Conservation and Development (DLCD), Counties, Cities, Special Districts

Summary of Fiscal Impact:

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

Summary of Expenditure Impact:

Housing and Community Services Department

General Fund	2021-23 Biennium	2023-25 Biennium
Personal Services	86,171	
Services and Supplies	825,433	
Total Funds	\$911,604	\$0
Positions	1	
FTE	0.46	

Analysis:

House Bill 3040, A-engrossed, replaces the introduced version. The measure directs the Housing and Community Services Department (HCSD), in consultation with the Department of Land Conservation and Development, the Department of Environmental Quality, the Department of Revenue and the Oregon Business Development Department, to conduct a comprehensive study of system development charges. The scope of the study shall include the role that system development charges play as both cost drivers and sources of revenue; the full range of factors that contribute to system development charge fee rates; and all type of market-rate housing. HCSD shall also consult with local governments, special districts, developers, realtors and other persons as needed to conduct the study. HCSD may contract with a third party to complete the study or any portion thereof. State and local public agencies shall comply with reasonable requests for information relating to the study from HCSD or from a third party conducting the study or any portion thereof. The study shall address, at a minimum: the history and role of system development charges in supporting residential development; how the availability of funding for capital improvements has affected system development charge fee rates; how the effects of Ballot Measures 5 and 50 on ad valorem property tax rates affect rate setting for system development charge fees; the costs of providing capital improvements needed for housing; the costs to public agencies of providing services needed for planning, inspecting and issuing permits for housing and how the costs affect system development charge fee rates; and issues relating to system development charge transparency. The measure directs HCSD to submit a preliminary report to interim legislative committees related to housing and economic recovery and prosperity by December 31, 2021 and a final report by June 1, 2022. The provisions relating to the preliminary and final reports are repealed on January 2, 2024.

The measure also requires any city, county or special district that maintains a public website to include information on its website, in a manner that is readily accessible to the general public, relating to its system development charges. If a city, county or special district does not maintain a website, it shall make the information relating to its system development charges available to the general public free of charge upon request. The measure takes effect on passage.

Housing and Community Services Department

Based on the statutory deadline for completion of the final report (i.e., June 1, 2022), the fiscal impact of this measure is estimated to be \$911,604 General Fund in 2021-23, including \$86,171 in personal services for a limited duration Operations and Policy Analyst 2 position (0.46 FTE), and \$825,433 in services and supplies to contract for administrative support, data collection and data analysis.

Information submitted by HCSD suggests that the department would be unable to complete the stakeholder engagement activities and conduct the analysis needed to complete the study by the statutory deadline. As a result, HCSD estimates total General Fund expenditures approximately 10% higher than indicated in this fiscal impact statement, presuming that additional time would be needed to complete the study in order to submit the final report on time. Given the broad scope of the study, HCSD anticipates engaging a wide variety of stakeholders, including public works developers, public works departments, long-range planners, as well as cities, counties, special districts, realtors and the general public.

In either case, HCSD would need additional position authority and a general fund appropriation to conduct this study. The measure warrants a subsequent referral to the Joint Committee on Ways and Means for consideration of its impact on the State’s General Fund and HCSD’s biennial budget.

Other Impacted Agencies and Local Governments

The measure is anticipated to have a minimal fiscal impact on the Department of Land Conservation and Development, the Oregon Business Development Department, the Department of Environmental Quality, the Department of Revenue, as well as cities, counties and special districts.