

**REVENUE IMPACT OF
PROPOSED LEGISLATION**
81st Oregon Legislative Assembly
2021 Regular Session
Legislative Revenue Office

Bill Number: SB 817 - B
Revenue Area: CFA/ General Fund
Economist: Mazen Malik
Date: 06-26-2021

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

Measure Description:

Eliminates fees, court costs and fines associated with juvenile delinquency matters.

Revenue Impact (in \$Millions):

loss to the General Fund and Criminal Fine Account during	Biennium	2021-23	2023-25	2025-27
Elimination of Fines and Fees on Juvenile Cases		(\$0.42)	(\$0.57)	(\$0.58)
Truancy Offenses		(\$0.08)	(\$0.11)	(\$0.11)
Collection Fees		(\$0.15)	(\$0.20)	(\$0.21)
Retroactive Repeal of Unitary Assessments		(\$0.03)	(\$0.03)	(\$0.03)
Satisfaction of Juvenile Fine and Fee Judgments		(\$2.28)	\$0.00	\$0.00
Total		(\$2.96)	(\$0.91)	(\$0.92)

Other impacts to agencies where the costs were paid for by fees are not considered as revenue impacts since the costs that will no longer be paid for, will be a budgetary action and backfilled by the general fund.

Impact Explanation:

1. The measure eliminates fines and filing fees in various juvenile delinquency proceedings which is typically around \$280,000 annually. This would result in an estimated \$560,000 revenue loss to the General Fund and Criminal Fine Account in a typical biennium and 18 months only in 2021-23.
2. In 2019, there were 849 truancy offenses. The measure removes the classification of truancy as a violation of law. Since 2017, OJD has imposed approximately \$250,000 in truancy fines and \$185,000 in fees associated with truancy cases, with an approximate collection rate of 50%. This has resulted in \$210,000 in revenue in the last four years that would no longer be collected under the provisions of the measure.
3. The measure eliminates the court-imposed surcharges for collecting a judgment owed to the court when a juvenile is not waived to adult court. Annually, about \$100,000 in collection fees are from juvenile cases, which would result in a \$200,000 revenue loss to the General Fund in general and 18 months only in 2021-23.

4. Under the measure, OJD is required to repeal unitary assessment fines for offenses committed before January 1, 2012 committed by a minor and adjudicated in juvenile court. Approximately \$20,000 is collected on these fees annually, therefore the estimated revenue loss to the Criminal Fine Account in 2021-23 is \$40,000.
5. Under the measure, OJD is required to make null and void and “considered paid in full and satisfied” any judgment entered before January 1, 2022 for fines, fees, costs, or other monetary obligations. However, OJD is not required to reimburse any fines or fees previously paid by parties. Approximately \$450,000 is collected each year in juvenile fines, fees and costs including the ongoing costs which would result in a \$900,000 revenue loss to the General Fund and Criminal Fine Account in ongoing basis. However, the existing amounts are about \$7.2 million with an assumed collection rate of 39% the impact will be \$2.3 million to occur only once in 2021-23.

Juveniles are currently subject to the same minimum fines imposed on adults for misdemeanors and felonies. Where this measure removes these fines and the overall effect avoids costs. This would allow courts to resolve cases more quickly than current caseloads permit, however, the revenue impact is indeterminate.

Currently, the court has the authority to require a parent or guardian to pay a fine of up to \$1,000 for failure to seek court-ordered treatment associated with a delinquency case. The revenue impact is indeterminate.

In practice, courts rarely impose administrative costs or “court costs” in juvenile cases. Thus, the revenue impact from canceling them is minimal. Since 1991 courts have only imposed \$22,000 in court costs in juvenile cases.

Creates, Extends, or Expands Tax Expenditure: Yes No