

**HB 3265 B BUDGET REPORT and MEASURE SUMMARY**

**Carrier:** Sen. Gorsek

**Joint Committee On Ways and Means**

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**Action Date:** 06/11/21

**Action:** Do pass the B-Eng bill.

**Senate Vote**

**Yeas:** 7 - Frederick, Golden, Gorsek, Johnson, Lieber, Steiner Hayward, Taylor

**Nays:** 5 - Anderson, Girod, Hansell, Knopp, Thomsen

**House Vote**

**Yeas:** 7 - Bynum, Gomberg, McLain, Nosse, Rayfield, Sanchez, Sollman

**Nays:** 4 - Drazan, Leif, Smith G, Stark

**Prepared By:** Michelle Lisper, Department of Administrative Services

**Reviewed By:** John Borden, Legislative Fiscal Office

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**Department of Justice**

**2021-23**

## **Budget Summary\***

	2019-21		2021-23		Committee Change from 2019-21		
	Legislatively Approved Budget		Committee Recommendation		Leg. Approved		
				\$ Change	% Change		
General Fund	\$	-	\$	905,071	\$	905,071	100.0%
Total	\$	-	\$	905,071	\$	905,071	100.0%

## **Position Summary**

Authorized Positions	0	4	4
Full-time Equivalent (FTE) positions	0.00	3.50	3.50

\* Excludes Capital Construction expenditures

## **Summary of Revenue Changes**

House Bill 3265 appropriates \$905,071 General Fund to the Department of Justice (DOJ) Office of the Attorney General, Civil Rights Unit, to create a staffed sanctuary violation hotline and website.

## **Summary of Public Safety Subcommittee Action**

House Bill 3265 prohibits a law enforcement agency or a public body from denying services, benefits, privileges, or opportunities to an individual in custody, or on parole, probation, or post-prison supervision, on the basis of known or suspected immigration status, the existence of an immigration detainer, hold, notification, or other related federal immigration request or a civil immigration warrant.

The bill limits the authority of law enforcement to inquire into an individual's immigration or citizenship status without connection to a criminal investigation or from providing information about an individual in custody to federal immigration authority, and other specified circumstances and prohibits the use of public resources to assist in federal immigration enforcement. Additionally, the bill requires a public body to decline any request or communication for assistance from a federal immigration authority and to report the request or communication to the director or similar management personnel of the public body. The public body is directed to submit information about requests to the Oregon Criminal Justice Commission (CJC). House Bill 3265 directs CJC to create an annual report summarizing the information reported and collected by the Department of Justice, Civil Rights Unit.

The bill appropriates \$905,071 General Fund to the DOJ Office of the Attorney General, Civil Rights Unit, to hire four permanent positions (3.50 FTE) to establish a staffed sanctuary violation hotline and to develop and implement processes for collecting pertinent information as outlined in the bill. The Department will coordinate with CJC to create a website to publish reported data.

The funding supports the hiring an Operation and Policy Analyst 3, two Program Analyst 2's, and an Investigator 3 position (3.50 FTE) to address the following:

- Establish a sanctuary reporting mechanism to receive reported information of alleged violations of certain sections of the bill,
- Include a staffed telephone hotline system allowing persons to report violations,
- Develop processes to address intake and referrals, determining which intakes and referrals are to be investigated, how they will be analyzed, and a process for exchanging information with CJC for publishing the reported data,
- Develop the appropriate statewide training and outreach processes for communicating the measures outlined in the bill, and
- Develop a cultural component for trauma informed support services.

The District Attorneys, Oregon Judicial Department, Public Defense Serves Commission, Department of Public Safety Standards and Training, CJC, and the Cities, and Counties, and Criminal Justice Commission anticipate a minimal fiscal impact due to the provisions of this measure.

**DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION**

Department of Justice  
Michelle Lisper - 971-283-6360

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
<u>SUBCOMMITTEE ADJUSTMENTS</u>									
<b>SCR 010 - Administration</b>									
Personal Services	\$ 688,060	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 688,060	4	3.50
Services and Supplies	\$ 217,011	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 217,011		
TOTAL ADJUSTMENTS	\$ 905,071	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 905,071	4	3.50
SUBCOMMITTEE RECOMMENDATION *	\$ 905,071	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 905,071	4	3.50

\*Excludes Capital Construction Expenditures