



Open Government Impact Statement

82nd Oregon Legislative Assembly
2023 Regular Session

Measure: HB 2140

Only impacts on Original or Engrossed
Versions are Considered Official

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SUMMARY

Transfers provision of public defense services, other than in local courts or for appellate proceedings, from entities under contract with Public Defense Services Commission to county public defense offices. Directs governing bodies of counties to appoint chief public defender. Specifies powers and duties of chief public defender.

Modifies duties of commission. Directs commission to provide funds to counties on proportionate basis for provision of public defense services.

Directs court to take into account potential future ability of defendant to pay for costs of appointed counsel during time period before judgment remedies expire on judgment.

Takes effect on 91st day following adjournment sine die.

OPEN GOVERNMENT IMPACT

Legislative Counsel has not adopted standards for drafting measures that establish exemptions from disclosure of public records.

This measure removes the privilege for communications made to the office of public defense services for the purpose of seeking preauthorization for or payment of nonroutine fees or expenses that are necessary and reasonable for the investigation, preparation and presentation of a case.

If those public records that could be subject to public disclosure were instead subject to mandatory disclosure under public records law, the public could receive additional information regarding fees or expenses paid or requested from the office of public defense services.