

## FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 2225

82nd Oregon Legislative Assembly – 2023 Regular Session

Legislative Fiscal Office

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

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### Measure Description:

Increases fees that may be charged for preparation of court transcripts.

### Government Unit(s) Affected:

Department of Justice, Judicial Department, Counties, District Attorneys, Public Defense Services Commission

### Summary of Fiscal Impact:

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

### Analysis:

The measure increases the cost of court transcripts from \$3 to \$4.25 (or \$1.25 or +42%) per page and authorizes the Judicial Department to periodically increase the maximum fee a transcriber may charge based on the Consumer Price Index. The measure reduces the circuit court filing fee for contempt proceedings from the current law fee \$111 to \$56. The measure also modifies the process to appoint senior judges and allows senior judges to issue search warrants under specific circumstances. This measure declares an emergency and is effective upon passage; however, the provision related to court transcripts has an operative date of the 91st day after sine die and the reduction to the circuit court filing fee for contempt proceedings has an effective date of October 1, 2023.

The Legislative Fiscal Office notes that this measure is unclear about whether the court transcription fee applies only to appellate-level courts or trial and appellate courts. Under either interpretation, state agencies are paying a single or uniform court transcription fee regardless of the type of court.

In addition, court transcription fees are paid by governmental entities and private sector defendants/appellants directly to private transcription providers rather than to a state agency.

### Public Defense Services Commission

Under current law, Public Defense Services Commission (PDSC) reports that the Commission expends approximately \$1.1 to \$1.2 million General Fund per fiscal year on court transcription fees. PDSC estimates that the increase in the court transcription fee will result in a fiscal impact of \$902,665 General Fund for the 2023-25 biennium and \$968,541 General Fund for the 2025-27 biennium.

### Judicial Department

The Judicial Department (OJD) has a minimal fiscal impact to this measure. OJD provided no indication how frequently the Department would decide to administratively increase court transcripts; however, any such increase may require impacted agencies, such as PDSC, to seek supplemental funding from the Legislature or Emergency Board.

### Department of Justice

Department of Justice states that the measure has an estimated \$50,000 General Fund impact on the agency's Defenses of Criminal Convictions program related to the increase in the cost of court transcripts

District Attorneys and Counties

There is no fiscal impact for District Attorneys or counties.

The measure warrants a referral to the Joint Committee on Ways and Means for consideration of the measure's budgetary impact on the State's General Fund.