



Legislative Fiscal Office
83rd Oregon Legislative Assembly
2025 Regular Session

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Bill Title: Relating to courts.

Government Unit(s) Affected: Judicial Department, Public Defense Commission

Summary of Fiscal Impact

Costs related to the measure are anticipated to be minimal - see explanatory analysis.

Measure Description

The measure authorizes the court to consider, upon receipt of a petition, whether to cancel in full or in part the fines, fees, or costs previously ordered by the court for the payment associated with representation from a court-appointed public defense counsel. The fine, fee, or cost may be cancelled in part or in full if the court determines that payment would be a “manifest hardship” for the petitioner or immediate family of the petitioner. To make this determination, the court must consider the financial resources, including income and assets, the financial obligations, the nature of the burden the debt imposes, the age of the debt, and any other equitable factor of the petitioner.

Additionally, the State Court Administrator must develop a standardized form to be used for petition for the remission of fines, fees, or costs and ensure the form is available on the Oregon Judicial Department’s (OJD) website.

Fiscal Analysis

The fiscal impact to OJD expenditures is anticipated to be minimal. Under current law, courts receive petitions from defendants seeking relief from the payment of court-ordered monetary obligations that impose a hardship on the defendant or their immediate family.

Under this measure, OJD would be required to create a standardized form for petitions to waive, either fully or partially, fines, fees or costs and clarifies what criteria is to be used to determine if a payment would be a “manifest hardship”. OJD anticipates the filing of additional petitions in circuit courts, however, the uniform petition form may offset the work required from petitions received by courts via letter or petitions filed pursuant to Uniform Trial Court Rule. The potential increase of filings at this time is indeterminate but will be monitored by OJD to capture the actual number of hardship relief filings.

The Legislative Fiscal Office (LFO) notes that while the fiscal impact to the agency is minimal, there could be an incremental impact (decrease) on revenue to the Criminal Fines Account (CFA). Under this specific statutory authority, if defendants are required to repay costs of court-appointed public defense counsel, that revenue is deposited into the CFA. Any reductions to existing revenue to CFA could impact allocations to agencies budgets that rely upon CFA funding. Also, any undistributed funds in the CFA are deposited into the General Fund, so any potential reductions to revenue may also impact the General Fund revenue.

There is no fiscal impact to the Public Defense Commission as these payments do not impact the Application Contribution Program.

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 2491 - B

Relevant Dates

The measure takes effect on January 1, 2026.