



Legislative Fiscal Office
 83rd Oregon Legislative Assembly
 2026 Regular Session

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Bill Title: Relating to public safety; declaring an emergency.

Government Unit(s) Affected: Oregon Youth Authority, District Attorneys, Judicial Department, Public Defense Commission, Department of State Police, Department of Justice, Department of Corrections, Counties, Cities, Criminal Justice Commission

Summary of Fiscal Impact:

2025-27 Biennium	General Fund	Lottery Funds	Other Funds	Federal Funds	Total Funds	Positions	FTE
Department of Corrections	\$ 47,383	\$ -	\$ -	\$ -	\$ 47,383	-	-
Total Fiscal Impact	\$ 47,383	\$ -	\$ -	\$ -	\$ 47,383	-	-
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2027-29 Biennium	General Fund	Lottery Funds	Other Funds	Federal Funds	Total Funds	Positions	FTE
Department of Corrections	\$ 403,804	\$ -	\$ -	\$ -	\$ 403,804	-	-
Total Fiscal Impact	\$ 403,804	\$ -	\$ -	\$ -	\$ 403,804	-	-

- ORS 173.029 requires the Legislative Fiscal Office to estimate the 10-year fiscal impact on state and local government for measures with an effect on crimes and sentencing. An initial estimate of the measure's potential 10-year fiscal impact on correctional populations and associated costs is included below within the fiscal analysis section.

Measure Description

The measure expands the crime of aggravated harassment to include a public official as defined by the measure. The measure also specifies that any standing pretrial release order entered under a judge does not affect the authority of judge to make a release decision and consider the primary and secondary release criteria provided by statute.

Under current law, an individual commits the crime of aggravated harassment if the person knowing the other person is a staff member or a public safety officer, acting in their official duties, either knowingly propels a specified substance at the staff member or public safety officer or intentionally propels saliva at a public safety officer and the saliva comes in physical contact with the officer. Aggravated harassment is a Class C felony.

The measure expands the crime of aggravated harassment to include a public official who is intentionally subjected to alarm by contacting the public official or any member of the public official's family by telephonic, electronic or written communications with a threat to inflict serious physical injury on the public member or family member because of either the performance or nonperformance of a public duty of the official, the status or position of the public office, or any factors related to the officials office or duties.

Lastly, the measure adds definitions surrounding the use of automated license plate recognition systems and specifies that law enforcement agencies may not use an automated license plate recognition system or capture license plate data unless it's for a purpose as outlined by the measure. The measure also states that captured license plate data may not be retained for more than 30 days if not related to a court proceeding or ongoing criminal investigation and for those that do pertain to a court proceeding or ongoing criminal investigation the captured license plate data may be retained for the same period that evidence is retained by the court.

The measure further specifies who law enforcement is allowed to compare captured license plate data with as long as the system, hotlist, or database is updated frequently to ensure the information is accurate, relevant, timely, and complete. The measure also requires specific information to be included upon entry by a law enforcement officer of a license plate number, vehicle description or other entry to a hot list. Additionally, the measure specifies the requirements of a vendor who contracts with a law enforcement agency to provide automated license plate recognition system or related services and requires the data to be encrypted by a minimum of end-to-end encryption. If a law enforcement agency is already in a contract with a third-party vendor for an automated license plate recognition system prior to the effective date of the measure, the law enforcement agency may use the system under the terms of the existing contract for the duration of the contract and may not extend or renew the contract unless it meets the requirements of this measure.

Fiscal Analysis

The fiscal impact is \$47,383 General Fund in the 2025-27 biennium and \$403,804 General Fund in the 2027-29 biennium. These costs will increase to \$685,727 General Fund in 2029-31, \$720,776 General Fund in 2031-33, and \$721,245 General Fund in 2033-35.

Department of Corrections

The estimated impact on the Department of Corrections is \$47,383 General Fund in the 2025-27 biennium and \$403,804 General Fund in the 2027-29 biennium. These costs will increase to \$685,727 General Fund in 2029-31, \$720,776 General Fund in 2031-33, and \$721,245 General Fund in 2033-35.

The estimated costs result from an anticipated increase of 20 annual felony convictions per year under the measure and its effect on community corrections and DOC prison populations. To determine the potential sentencing for this expansion of a crime, CJC utilized sentencing data on aggravated harassment convictions. Based on that data, CJC anticipates that of the new felony convictions per year, 30% will be sentenced to a DOC facility and 64% will be sentenced to probation.

The fiscal impact assumes a three-month lag between the measure's effective date and the date first offenders may be received through the criminal justice system. The cost estimates include funds that would be distributed to county community corrections departments for the costs of probation, post-prison supervision, and local control. As part of the cost calculations, the estimated marginal cost per day for a DOC facility is \$29.07 per offender and the estimated cost per day for probation is \$15.09 per offender.

Should this measure become law, any deviation between the estimates assumed in this fiscal analysis and the actual number of criminal cases, convictions, and length of sentences issued would be incorporated in the Department of Administrative Services Office of Economic Analysis corrections and public defense population forecasts. These forecasts are issued twice per year and are used to determine any necessary budget modifications to the agency.

Department of State Police

The fiscal impact on the Oregon State Police (OSP) is indeterminate. Currently, OSP has an active contract with a vendor who provides the agency with an automated license plate recognition system. Under the measure, OSP is allowed to continue their contract with their vendor for the duration of the contract, which is valid through

2030. OSP will work with their current vendor to determine if they can meet the encryption requirements of the measure and if not pursue a new vendor who can meet these requirements. It is unknown if the current vendor can comply with the additional requirements when the contract terms, or if they are able to comply if that will increase the cost to the agency. If the agency must pursue a new vendor, costs could vary depending on the availability of software that meets the requirements of the measure. However, since the agency is allowed to continue their current contract until it's expiration, there is a minimal impact on the agency during the 2025-27 and 2027-29 biennium since the need for the updated system would be during the 2029-31 biennium.

Other entities

There is a minimal fiscal impact to the Oregon Judicial Department, Oregon Youth Authority, Department of Justice, and the Public Defense Commission.

There is no fiscal impact on CJC, District Attorneys, counties, or cities.

Relevant Dates

The measure declares an emergency and takes effect on passage.