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

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

Summary of Fiscal Impact: Costs related to the measure are anticipated to be minimal - see explanatory analysis.

Measure Description
The measure specifies that any standing pretrial release order entered by a judge does not affect the authority of another judge to make a release decision and consider the primary and secondary release criteria provided by statute.

Additionally, 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
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 June 30, 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, Public Defense Commission, and counties, or cities.

There is no fiscal impact on CJC, District Attorneys, or the Department of Corrections.

Relevant Dates
The measure declares an emergency and takes effect on passage.