



Legislative Fiscal Office
83rd Oregon Legislative Assembly
2026 Regular Session

Prepared by: Chelsey Herrmann-Nordness
Reviewed by: Amanda Beitel, John Borden, Steve Robbins
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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:

| 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 | - | - |

| 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.

Fiscal Analysis

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, the Criminal Justice Commission (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.

Other entities

There is a minimal fiscal impact to the Oregon Judicial Department, Oregon Youth Authority, Department of Justice, Department of State Police, 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.