

2007 Regular Legislative Session
FISCAL ANALYSIS OF PROPOSED LEGISLATION
Prepared by the Oregon Legislative Fiscal Office

MEASURE NUMBER: SB 1052 **STATUS:** A Engrossed
SUBJECT: Provides for an increased nonwaivable unitary assessment in methamphetamine related crimes.
GOVERNMENT UNIT AFFECTED: Oregon Judicial Department
PREPARED BY: Tim Walker
REVIEWED BY: Robin LaMonte
DATE: June 13, 2007

	<u>2007-2009</u>	<u>2009-2011</u>
EXPENDITURES:		
Services and Supplies (General Fund)	\$ 49,010	\$ -

REVENUES:
See Comments

EFFECTIVE DATE: January 1, 2008

GOVERNOR'S BUDGET: This bill is not anticipated by the Governor's recommended budget.

LOCAL GOVERNMENT MANDATE: This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

COMMENTS: This bill provides for increased nonwaivable unitary assessment in methamphetamine related crimes; prohibits waiving the unitary assessment except in juvenile cases; and directs the proceeds of additional assessment be transferred to counties for administration of substance abuse treatment programs. The unitary assessment for the crime of unlawful delivery of methamphetamine or the unlawful delivery of methamphetamine within 1,000 feet of school is set at \$500. The unitary assessment for the crime of unlawful manufacture of methamphetamine or the unlawful manufacture of methamphetamine within 1,000 feet of school is set at \$1,000.

The Oregon Judicial Department (OJD) anticipates that the Oregon Judicial Information Network (OJIN) will require programming changes that will cost approximately \$49,010. There were approximately 1,700 charges for manufacture or delivery of methamphetamine filed per year. OJD estimates that roughly 50% of those charges filed result in conviction. Of these 850 convictions, 765 would be subject to the \$500 unitary assessment and 85 would be subject to the \$1,000 assessment. OJD's average collections rate is 64%, but they anticipate that collections for this unitary assessment will be less in these cases because the majority of the defendants are sent to prison. The assessment is a category 4 assessment which is collected after all other obligations are satisfied. OJD estimates the collection rate would be between 5% and 30% and would raise between \$23,375 and \$140,250. This additional revenue would be distributed to counties for the administration of substance abuse programs. It may take years to collect this debt. There has been a substantial decrease in methamphetamine lab interdictions since legislation was enacted during the 2005 Legislative Assembly. There were 448 labs interdicted in 2004, 192 in 2005, 63 in 2006 and 3 during the first quarter of 2007.