

REVENUE IMPACT OF PROPOSED LEGISLATION

74th Oregon Legislative Assembly 2007
Legislative Revenue Office

Bill Number:	HB 2331 B
Revenue Area:	Fees
Economist:	Mazen Malik
Date:	06/22/2007

Measure Description:

Increases filing fees to equalize plaintiff and responded fees. Increases fees for writs of garnishments to \$12. Equalizes prevailing party fees at \$85. Allows the Chief Justice to require that a \$50 fee be paid by the party filing a motion in a civil proceeding and a \$35 fee by a party filing a response to the motion. Increases the collection fee on monetary obligations owed to the court as part of a court judgment in a civil matter from the current fee of not less than \$25 and not more than \$50 to a fee of not less than \$50 and not more than \$100. Directs that 50 percent of the fee collected be deposited in the General Fund and the other 50 percent to the Judicial Department Operating Account. Applies to judgments entered on or after September 1, 2007. Declares emergency; effective upon passage.

Revenue Impact:

Although this bill raises a significant amount of revenue, more than \$11 million in 07-09, and more than \$13 million in 09-11, it is mostly through fees levied on court transactions. These new revenues stay within the court system to be used mostly for court facilities.

Impact Explanation:

Currently, Oregon courts do not levy a filing fee on motions and responses to motions in civil matters. This measure would levy a fee. Other states, including California, do. The new fees are considered a regulation fees and not revenue that will be used outside the court system. Under that understanding, the amounts will be used in the future for court functions, and in the implementation of their mission. The other fees are much more straight forward for their purpose and use. Thus, they are decidedly in the fees "administrative" type category, and considered a tax type of revenue increase.

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