

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

MEASURE NUMBER: HB 2007

STATUS: A Engrossed

SUBJECT: Establishes requirements and procedures for entering into domestic partnership contract between individuals of the same sex.

GOVERNMENT UNIT AFFECTED: Oregon Judicial Department, Department of Human Services, Department of Administrative Services, Public Employees Retirement System

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REVIEWED BY: Robin LaMonte, John Britton, Dallas Weyand

DATE: April 9, 2007

	<u>2007-2009</u>	<u>2009-2011</u>
EXPENDITURES: See Comments		

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 establishes requirements and procedures for entering into domestic partnerships between individuals of the same sex. Domestic partners may complete and file a Declaration of Domestic Partnership with the county clerk who is then required to register the certificate and provide the partners with a Certificate of Domestic Partnership. A fee of \$25 is charged to register the certificate and proceeds from this fee are to be paid to the Department of Human Services to be credited to the Domestic Violence Fund account. This bill also provides that domestic partners have the same privileges, immunities, rights, benefits and responsibilities as those who are or were married. Partners entering into a Certificate of Domestic Partnership must consent to the jurisdiction of the circuit court in order to obtain a judgment of dissolution, annulment or legal separation.

The fiscal impact of this bill is indeterminate. It is not possible to predict with any accuracy the number of potential domestic partnership or how many of these domestic partnerships may choose to pursue a Certificate of Domestic Partnerships. The Oregon Judicial Department could incur additional workload costs due to an increase in domestic relations cases. The Department of Human Services, Center for Health Statistics would also see an increased workload due to tracking and administering the Certificate of Domestic Partnership, Declaration of Domestic Partnership, dissolution of domestic partnerships and dissolutions of domestic partnership judgments. There would also been an increase in revenue to the Domestic Violence Fund due to the \$25 fee charged for registration. The Department of Administrative Services, Public Employees Benefit Board would not see an increase in costs because the Board currently covers domestic partners.

The Public Employees Retirement System (PERS) does not currently provide survivor benefits for domestic partners. If PERS is required to provide survivor benefits, the full ramifications due to federal and Internal Revenue Service requirements on qualified retirement funds is not known at this time. Any additional survivor benefits paid by PERS would be dependant on the number of domestic partnerships, and for the reason stated above, this will be difficult to predict.