

**REVENUE:** No revenue impact

**FISCAL:** Fiscal statement issued

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**Action:** Do Pass as Amended and Be Printed Engrossed

**Vote:** 3 - 2 - 0

**Yeas:** Prozanski, Walker, Burdick

**Nays:** Beyer, Kruse

**Exc.:** 0

**Prepared By:** Bill Taylor, Counsel

**Meeting Dates:** 5/14, 5/24

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**WHAT THE MEASURE DOES:** Eliminates the Court Facilities and Local Court Facilities Accounts. Sets the interest on judgment at the statutory rate set forth in ORS 82.010 of nine percent per year. Allows the State Court Administrator to waive interest for the purpose of administering collection of judgments from state courts. Allows a municipal court judge and justice of the peace to do the same. Requires that payments be applied first to principal then interest in state courts. Allows moneys collected as interest in state court to be used to pay costs of collection and that any moneys left over be paid to the Criminal Injuries Compensation Account. Allows moneys collected as interest in local court to be used to pay costs of collections, and that any additional moneys left over be paid over to the local general government to be used for general government costs. Allows interest to accrue for 20 years from the date of judgment, and after that date, no interest would accrue.

**ISSUES DISCUSSED:**

- Tolling (i.e., delaying) of the interest rate during incarceration
- Tolling of the interest rate after 20 years

**EFFECT OF COMMITTEE AMENDMENT:** Tolls the running of the 20-year period for interest computation while the debtor is in prison on the sentence for which the monetary obligation was imposed.

**BACKGROUND:** During the 1999 session, the Legislative Assembly enacted HB 2317 that, among other things, established the Court Facilities Account and the Local Court Facilities Account and required that the interest on judgments in criminal cases be deposited to these accounts. Once sufficient moneys were accumulated, these funds would be used to repair, remodel and rebuild courthouses. However, the interest on these judgments has never generated sufficient enough revenue to cover operating expenses of the accounts.