

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

MEASURE NUMBER: HB 3336 **STATUS:** A Engrossed
SUBJECT: Creates a Task Force on Mental Retardation in Capital Cases.
GOVERNMENT UNIT AFFECTED: Department of Justice
PREPARED BY: Tim Walker
REVIEWED BY: Doug Wilson
DATE: May 8, 2007

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

EFFECTIVE DATE: On passage.

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 creates a Task Force on Mental Retardation in Capital Cases. Members of the task force will include one member of Oregon District Attorneys Association, one member from the Oregon Criminal Defense Lawyers Association, one member from the Oregon Advocacy Center, and one member from the Department of Justice who will serve as chairperson. The Department of Justice is responsible for staffing the task force. The task force is responsible for providing a report to the Legislative Assembly no later than October 1, 2008.

The Department of Justice (DOJ) proposes staffing the task force with one Senior Assistant Attorney General (SAAG) working half time and one office specialist one working quarter time (2 positions/0.47 FTE). DOJ anticipates having to forego \$128,000 in SAAG billings in support of the task force. DOJ estimates the cost of supporting the task force will be \$99,156. DOJ also indicates that the funding will come from either the Legal Fund, which supports all agencies, or from the Defense of Criminal Convictions Account that is used for appeals in criminal convictions. DOJ has also indicated that they will absorb the cost of staffing the task force.

The Legislative Fiscal Office believes this bill warrants a subsequent referral to the Joint Committee on Ways and Means for consideration of this bill's impact on the agency's budget and the State's General Fund.