

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 3066 - B

Seventy-Sixth Oregon Legislative Assembly – 2011 Regular Session
Legislative Fiscal Office

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Measure Description:

Requires Department of Justice to establish restitution collection pilot program in geographically dispersed counties or regions and to make grants to enable district attorney's offices in participating counties or regions to employ at least one restitution clerk on at least part-time basis.

Government Unit(s) Affected:

Department of Justice, District Attorneys and their Deputies, Judicial Department

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.

Analysis: This bill would allow the Department of Justice (DOJ) to establish restitution collection pilot programs and provide grants to counties for the purpose of funding the pilot programs. The initial funds necessary to start the program would be provided by the Criminal Injuries Compensation Account (CICA). DOJ estimates in 2011-13 it would take six positions (4.63 FTE) and \$1.8 million Other Funds (OF) to fund the program and they anticipate collecting approximately \$3.3 million OF from the pilot program. The collections agents would be employed by the counties that choose to partake in this program. Clackamas County and Yamhill County currently have programs that are substantially similar to this program.

The bill also requires DOJ to maintain records related to the amounts of monetary obligates imposed on and collected from offenders in the areas affected by the pilot projects. In addition, DOJ and OJD will provide reports to the Legislative Assembly on the results of the pilot project. The bill also provides that DOJ may seek reimbursement from the Legislative Assembly for funds expended from CICA.

The Oregon Judicial Department (OJD) is responsible for collecting all monetary obligations assigned by the court. It is anticipated that DOJ, OJD, and the District Attorneys would closely coordinate their operations to avoid a duplication of efforts. OJD adds an additional 8% to the total of the monetary obligations to cover the cost of collections. In the cases where the pilot program collects on an account, OJD would not receive the 8% collection fee. This could potentially result in a decrease in revenue, but depending upon the potential increase in collections, there could be an overall increase in revenue to OJD.

Local Government Mandate:

This bill [may] [does not] affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

Analysis:

