

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 3085 - B

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

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Date: 6/3/2011

Measure Description:

Modifies statutes requiring health care facility to notify law enforcement of blood alcohol level.

Government Unit(s) Affected:

Oregon State Police (OSP), counties

Expenditure Impact:

See Analysis

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:

Current law requires a health care provider who is providing medical care in a health care facility immediately after a motor vehicle accident to a person believed to be the operator of a motor vehicle involved in the accident to notify [1] any law enforcement present at the health care facility acting in an official manner in relation to the accident; [2] a law enforcement agency in the county in which the accident occurred; or [3] an Oregon State Police dispatch center, if the health care provider becomes aware, as a result of any blood test performed in the course of that treatment, that the person's blood alcohol level meets or exceeds the legal limit.

In addition to the person's blood alcohol level meeting or exceeding the legal limit, HB 3085 adds another criterion for reporting – if the person's blood contains a drug or its immediate precursor classified in Schedules I through V under the federal Controlled Substances Act, 21 U.S.C. 811 to 812, as modified under ORS 475.035.

The fiscal impact of this bill on the Oregon State Police and counties is indeterminate, but anticipated to be minimal. Passage of this bill may result in additional court time for law enforcement officers involved in these driving under the influence cases. However, the increase, if any, of these driving under the influence cases cannot be predicted.