

**FISCAL IMPACT OF PROPOSED LEGISLATION**

**Measure: HB 3238 - A**

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

Prepared by: Tim Walker  
Reviewed by: John Borden, Doug Wilson  
Date: 3/22/2011

**Measure Description:**

Directs Oregon Criminal Justice Commission to classify felony animal abuse in first degree as crime category 6 of sentencing guidelines grid.

**Government Unit(s) Affected:**

Department of Corrections, District Attorneys and their Deputies, Judicial Department, Oregon Criminal Justice Commission, Public Defense Services Commission

**Summary of Expenditure Impact**

	<b>2011-13 Biennium</b>	<b>2013-15 Biennium</b>
General Fund	\$52,321	\$166,755
Lottery Funds		
Other Funds		
Federal Funds		
<b>Total Funds</b>	<b>\$52,321</b>	<b>\$166,755</b>
Positions		
FTE		

**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 classify felony animal abuse in the first degree as a crime category 6, it is currently a crime category 3. Typically, crime category 3 would result in a sentence of probation. A crime category 6 would result in a prison sentence of between 10 and 30 months depending upon the offender's criminal history. The Criminal Justice Commission (CJC) estimates that 25% of the offenders would receive some level of a prison sentence. CJC estimates that there may be five to eight convictions per year.

The Oregon Judicial Department and the Public Defense Services Commission estimate the fiscal impact as minimal. The cost of a trial or defense of an offender is not based on the crime category, but on whether an offense is a misdemeanor or a felony. This bill does not change whether or not the crime is a felony. This bill is not expected to have a fiscal impact on the District Attorneys.

