

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: SB 432 - A

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

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Date: 4/25/2011

Measure Description:

Clarifies the method for calculating the maximum period of commitment for a defendant who has been determined to be unfit to proceed.

Government Unit(s) Affected:

Oregon Health Authority (OHA)

Summary of Fiscal 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:

Senate Bill 432 clarifies the method for calculating the maximum period of commitment for a defendant who has been determined to be unfit to proceed. The bill ensures that the total length of stay for a person committed to the care of the state hospital for fitness-to-proceed services is limited. The bill contains an emergency clause and is effective upon passage.

This bill is anticipated to have no budgetary impact to the Oregon Health Authority. OHA reports that under current law, there are very rare occasions where an individual could be discharged and readmitted, during the fitness-to-proceed process, that could result in a total length of stay of more than three years. Because this is a rare occurrence, there is no anticipated fiscal impact.