

## FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: SJR 28

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

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Date: 3/18/2011

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### Measure Description:

Proposes amendment to Oregon Constitution excluding zoning regulations from scope of free expression clause when business or organization offers services provided by persons in state of nudity.

### Government Unit(s) Affected:

Secretary of State

### Summary of 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:

This measure would refer for voters' approval a Constitutional amendment relating to the free expression clause, excluding zoning regulations from the scope of the free expression clause when business or organization offers services provided by persons in state of nudity.

The fiscal impact to the Secretary of State's office is the state's portion of incremental costs incurred for an already-funded election. The Secretary of State prepares and distributes the voters' pamphlet and collects a \$500 filing fee for each argument submitted in support or opposition of a ballot measure. Typically, these filing fees cover slightly more than one-half of the cost of producing and mailing the voters' pamphlet. The remaining costs are paid by the General Fund.

The fiscal impact is indeterminate because the number of arguments that will be filed for the measure cannot be predicted. The Legislative Fiscal Office (LFO) assumes that the Secretary may seek a General Fund appropriation from the Emergency Board or Legislative Assembly when the actual voters' pamphlet costs are known.

Under procedures established in ORS 250.125 and 250.127, a financial impact committee is created for each state measure submitted to the ballot through the initiative and referendum processes. For this reason, LFO does not include an estimate of the fiscal impact that would result if SJR 28 were to be adopted by a vote of the people.