

House Bill 2711

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Judiciary for Joint Interim Committee on State Justice System Revenues)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Creates Joint Committee on State Courts Revenue Structure.

A BILL FOR AN ACT

1
2 Relating to courts.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) There is created a Joint Committee on State Courts Revenue Structure,**
5 **consisting of three members of the Senate appointed by the President of the Senate and**
6 **three members of the House of Representatives appointed by the Speaker of the House of**
7 **Representatives. The Chief Justice of the Supreme Court, the Oregon State Bar Association,**
8 **the League of Oregon Cities and the Association of Oregon Counties shall each designate**
9 **nonvoting liaisons to the committee.**

10 **(2) The committee shall conduct a biennial review of all state court fees and fines. In**
11 **conducting this review, the committee shall consider the following principles:**

12 **(a) Fee and fine amounts should be transparent and easy to access and administer.**

13 **(b) Fee and fine amounts should be equitable and fair.**

14 **(c) The court fee structure should not adversely impact access to justice.**

15 **(d) The court fee structure should not adversely affect judicial authority to waive or de-**
16 **fer fees or to establish a payment plan for litigants.**

17 **(e) The statutory fee structure and fee amounts should be uniform across this state.**

18 **(f) All state court revenue sources should be easily identifiable and reflected in statute.**

19 **(g) The court fee structure should generate biennial revenue commensurate with the**
20 **end-of-session revenue forecast.**

21 **(h) Fees and fines should be a fixed dollar amount.**

22 **(i) Surcharges and assessments should not be imposed on fees or fines.**

23 **(j) Fines for violations should be uniform in state courts, justice courts and municipal**
24 **court.**

25 **(k) Revenues from fees and fines should not be dedicated.**

26 **(3) The committee shall identify statutes and court practices that are not in conformity**
27 **with the principles listed in subsection (2) of this section.**

28 **(4) The committee shall issue a report each odd-numbered year. The report must be is-**
29 **sued not more than 180 days after the Legislative Assembly adjourns sine die in the odd-**
30 **numbered year. The report must describe statutes and court practices identified by the**
31 **committee as failing to conform with the principles listed in subsection (2) of this section,**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 and recommend statutory and other changes. A copy of the report shall be delivered to the
2 House Committee on Judiciary, the Senate Committee on Judiciary and the Joint Committee
3 on Ways and Means.

4 (5) A majority of the members of the Joint Committee on State Courts Revenue Struc-
5 ture constitutes a quorum for the transaction of business.

6 (6) Official action by the committee requires the approval of a majority of the members
7 of the committee.

8 (7) The President of the Senate shall designate one of the members appointed by the
9 President to serve as cochair of the committee. The Speaker of the House of Representatives
10 shall designate one of the members appointed by the Speaker to serve as cochair of the
11 committee.

12 (8) If there is a vacancy for any cause, the appointing authority shall make an appoint-
13 ment. The appointment becomes effective immediately.

14 (9) The committee shall meet at times and places specified by the call of a cochair or of
15 a majority of the members of the committee.

16 (10) The committee may adopt rules necessary for the operation of the committee.

17 (11) Members of the committee who are members of the Legislative Assembly are enti-
18 tled to mileage expenses and a per diem as provided in ORS 171.072. Other members of the
19 committee are not entitled to compensation or payment of expenses.

20 (12) The Legislative Administrator and the Legislative Fiscal Office shall provide admin-
21 istrative support to the committee.

22 (13) The committee has the authority to contract for services, including studies of the
23 current revenue structure and audits of state and local entities that collect or expend
24 statewide court system fee or fine revenue.

25 (14) All agencies of state government, as defined in ORS 174.111, are directed to assist
26 the committee in the performance of its duties and, to the extent permitted by laws relating
27 to confidentiality, to furnish such information and advice as the members of the committee
28 consider necessary to perform their duties.

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