

FISCAL IMPACT OF PROPOSED LEGISLATION**Measure: HB 3129 - A**Seventy-Seventh Oregon Legislative Assembly – 2013 Regular Session
Legislative Fiscal Office***Only Impacts on Original or Engrossed
Versions are Considered Official***

Prepared by: Kim To
Reviewed by: Laurie Byerly
Date: 4/4/2013

Measure Description:

Prohibits person from being nominated as fiduciary or serving as fiduciary for three or more protected persons who are not related to person unless person is certified as professional fiduciary by the Center for Guardianship Certification or its successor organization as a National Certified Guardian or a National Master Guardian.

Government Unit(s) Affected:

Oregon Judicial Department (OJD)

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:

House Bill 3129 A-Engrossed requires an individual seeking appointment as a professional fiduciary to provide proof of certification by the Center for Guardianship Certification or its successor organization as a National Certified Guardian or a National Master Guardian. The bill establishes an eleven-member Fiduciary Education Work Group charged with reviewing best practices and making recommendations regarding:

- Training and continuing education for professional fiduciaries;
- Whether Oregon should require certification of professional fiduciaries in addition to or instead of certification as a National Certified Guardian or a National Master Guardian;
- Whether the work group should be extended beyond January 2, 2016, the date the work group is set to sunset within the provisions of this bill.

The work group is required to report its recommendations to the legislature by August 1, 2014. The bill specifies that the group must meet no less than once per month from its establishment until August 1, 2014. Members of the work group are entitled to reimbursement for expenses incurred in the performance of official duties. The Oregon Judicial Department is required to provide staffing and reimbursement expenses to the work group. The bill is effective on January 1, 2014.

The Oregon Judicial Department (OJD) estimates the fiscal impact of supporting this work group to be approximately \$124,191 General Fund and 0.56 FTE for seven months of 2013-15 biennium. OJD reports that the intense scope of activities and the short timeline (January 1, 2014 to August 1, 2014) provided to gather the information, formulate recommendations, and produce a report would require the establishment of two limited duration positions for 9 months (one Analyst 4 position and one Management Assistant position) to perform the research and meeting coordination workload in support of the work group.