

**REVENUE IMPACT OF
PROPOSED LEGISLATION**
Seventy-Seventh Oregon Legislative
Assembly
2013 Regular Session
Legislative Revenue Office

Bill Number: HB 2627-A
Revenue Area: Court Fines
Economist: Mazen Malik
Date: 03/26/2013

*Only Impacts on Original or Engrossed
Versions are Considered Official*

Measure Description:

Permits court to vacate judgment after termination of driving while under influence of intoxicants diversion agreement under certain conditions.

Revenue Impact (in \$Millions):

The Revenue estimates are a range of \$5,000 to \$125,000 per year.

Impact Explanation:

The measure as amended allows for restitution to be ordered along with a DUII diversion. The amendment also allows the court to grant the defendant (after completion of some requirements) extra time to pay fees if the amount they owe is less than \$500. The balance owing of the diversion fees will be somewhere between \$50 and \$500, which will be paid sooner than if the defendant had the DUII diversion terminated and was convicted of the DUII charge and had more fees and fines assessed.

This measure allows a defendant to bring a motion to dismiss within 180 days of the date the court entered the judgment. The amended measure requires a defendant to pay restitution as a requirement of a driving under the influence of intoxicants diversion agreement, if ordered to do so by the court. The imposition of restitution on some DUII Diversion agreements could delay payment of diversion fees since they would be split with restitution but diversion agreements cannot be terminated for failure to pay restitution alone. The defendant could still pay the balance of their diversion fees and complete their diversion while any outstanding restitution could be entered on a separate judgment containing a money award.

The low estimates are based on a 100 new motion filed with \$50 balance of diversion fees paid. While the high estimates are based on a 250 new motion filed with \$500 balance of diversion fees paid.

Creates, Extends, or Expands Tax Expenditure: Yes No