

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 2936 – B20

Seventy-Eighth Oregon Legislative Assembly – 2015 Regular Session
Legislative Fiscal Office

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

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Date: 6/17/2015

Measure Description:

Defines "sobering facility." Requires facility to adopt policies in consultation with addiction treatment program or provider.

Government Unit(s) Affected:

Oregon State Police (OSP), Oregon Health Authority (OHA), 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 2936 requires the Oregon Health Authority (OHA) to maintain a registry of sobering facilities, and requires these facilities to adopt policies in consultation with addiction treatment programs or providers. The bill also extends civil and criminal immunity to new sobering facilities for actions taken in good faith, on probable cause and without gross negligence. In addition, the bill includes a sobering facility as an alternative location to a home or a treatment facility that law enforcement could take intoxicated persons. The bill also protects from disclosure without consent records of admission to sobering facility.

Oregon State Police (OSP)

With the inclusion of the Department of State Police, the bill could potentially have a fiscal impact on the Oregon State Police. However, at this time, the impact is indeterminate. OSP is concerned that the mandated language in Section 3(1) would result in the burden of transportation, as well as determining whether an individual is incapacitated, falling solely on police officers. OSP is concerned that this language could discourage officers from contacting and consulting with other support, such as emergency medical technicians.

Oregon Health Authority (OHA), Oregon Judicial Department (OJD)

Passage of this bill is anticipated to have minimal fiscal impact on OHA and OJD.