

**FISCAL IMPACT OF PROPOSED LEGISLATION**

**Measure: HB 3036**

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

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

Prepared by: John Terpening  
Reviewed by: John Borden, Ken Rocco, Tim Walker  
Date: 3-6-2015

**Measure Description:**

Authorizes State Board of Parole and Post-Prison Supervision to request appearance by representative of office of prosecuting attorney at hearing setting or resetting release date of person.

**Government Unit(s) Affected:**

Department of Justice, Board of Parole and Post-Prison Supervision, District Attorneys and their Deputies

**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:**

The measure allows the State Board of Parole and Post-Prison Supervision (BPPPS) to request a representative of the prosecuting district attorney at hearings where BPPPS is considering setting or resetting a release date of a person. The measure requires that the district attorney, or the Attorney General if the Attorney General was the prosecuting attorney in the case, appear at the hearing. The district attorney can also request that the Attorney General appear at the hearing on their behalf. The measure allows for the representative of the prosecuting attorney to appear in person, by telephone, or electronic device.

The fiscal impact of this measure to District Attorney's and their deputies and to the Department of Justice is indeterminate. According to data provided by BPPPS, there is an average of 200 hearings per year. The number of hearings that BPPPS will request the prosecuting attorney to be present is unknown, but assumed to be frequent, in order to be a source of additional information to assist BPPPS in the decision-making process. Currently, BPPPS estimates that district attorneys are represented at approximately one-third of hearings.

Depending on the number of hearings required to attend, and the amount of time required for prosecuting attorney's to review case files that may pre-date the current prosecuting attorney's tenure, the District Attorneys and the Department of Justice may need to return to the legislature for additional resources.

There is a minimal fiscal impact to BPPPS as a result of this measure as it will not fundamentally change the current hearings process.