

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 2386 MRA2

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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Measure Description:

Authorizes Commissioner of Bureau of Labor and Industries to issue temporary cease and desist order under certain circumstances.

Government Unit(s) Affected:

Bureau of Labor and Industries (BOLI)

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: This bill would prohibit the Labor Commissioner from issuing a cease and desist order that would interfere with the production or distribution of perishable agricultural products and would require BOLI to pay reasonable attorney fees to the defendant in an amount up to \$50,000 if BOLI fails to prevail in a legal case stemming from its issuance of a cease and desist order.

The fiscal impact of this bill is indeterminate. BOLI is unable to estimate the number of additional cases that may result in additional attorney's fees. BOLI estimates that if it were required to pay attorney's fees on a contested case hearing it would be \$13,000 to \$16,000. If the case was to be appealed to the Oregon Court of Appeals or the Supreme Court, attorney's fees would easily reach the \$50,000 cap.