

**FISCAL IMPACT OF PROPOSED LEGISLATION**

**Measure: HB 2420 - A**

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:**

Requires court to order a community mental health program consultation when determination of defendant’s lack of fitness to proceed is made.

**Government Unit(s) Affected:**

Oregon Health Authority (OHA), Oregon Judicial Department (OJD), Oregon Criminal Justice Commission (OCJC), Department of Justice (DOJ)

**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 2420 requires that for any defendant found unfit regardless of the crime committed, courts must order that a community mental health program director or designee consult with the defendant to determine whether community-based services and supervision necessary to safely restore the defendant’s fitness are available. A copy of the findings resulting from the consultation must be provided to the courts. The Oregon Health Authority is directed to establish standards for these consultations.

Oregon Health Authority (OHA)

The fiscal impact of this bill on the Oregon Health Authority is minimal.

Although the bill does not require explicitly that the OHA provide additional funding to community-based programs, this bill aligns with Policy Option Package 401-1 in the 2015-17 Governor’s Budget which provides additional funding to community-based programs for housing and treatment services to a portion of the defendants covered by the provisions of this bill. The Policy Option Package allocates \$4,056,901 General Fund and 0.83 FTE for the 2015-17 biennium. This funding includes special payments to community-based programs to administer services, and one permanent full-time Operations and Policy Analyst 3 position in the Addictions and Mental Health (AMH) Division to coordinate this aid and assist program.

Oregon Judicial Department, Oregon Criminal Justice Commission, Department of Justice

The fiscal impact to the Oregon Judicial Department is minimal. Passage of this bill is anticipated to have no impact on the Oregon Criminal Justice Commission and the Department of Justice.