

**STAFF MEASURE SUMMARY****House Committee On Judiciary****Fiscal:** Fiscal impact issued**Revenue:** Revenue impact issued**Action Date:** 02/11/16**Action:** Do Pass With Amendments And Be Referred To Ways And Means By Prior Reference. (Printed A-Eng.)**Meeting Dates:** 02/01, 02/11**Vote:**

Yeas: 6 - Barker, Barton, Greenlick, Krieger, Lininger, Vega Pederson

Nays: 3 - Olson, Post, Sprenger

**Prepared By:** Channa Newell, Counsel**WHAT THE MEASURE DOES:**

Allows presiding judge of judicial district to impose surcharge on parking and traffic violations if county receives Article XI-Q bond proceeds for county courthouse repair or replacement, debts related to such bonds, or bonds owing from lease or purchased real estate or local government borrowing. Requires county commissioners to suggest amount of surcharge, but no more than \$5 per fine, and requires Chief Justice approve of the surcharge. Requires a copy of the order for surcharge to be delivered to State Court Administrator by July 1 of each year for application in following year. Allows use of funds from surcharge to be used only for payment of capital costs of courthouse projects or payment of debt related to such projects. Provides direction to county Treasurer on administration of moneys collected. Makes conforming changes. Declares emergency, effective on passage.

**ISSUES DISCUSSED:**

- Counties that qualify to establish surcharge
- Effect of surcharge on current court fine structure
- Prior work group efforts on court fines and fees
- Upcoming work on e-court related fees
- Need for reliable funding to replace or remodel courthouses vulnerable to earthquakes or natural disasters

**EFFECT OF COMMITTEE AMENDMENT:**

Replaces measure.

**BACKGROUND:**

The Oregon Courthouse Capitol Construction and Improvement Fund was established in 2013 to provide bond funding for courthouses that have significant structural defects that present actual or potential threats to human health and safety. The State Treasurer may issue up to \$15 million in Article XI-Q bonds for these projects, subject to approval by the Chief Justice of the Supreme Court and the Oregon Department of Administrative Services. Agreements between counties and the state for courthouse projects may require counties to contribute at least 50 percent of the total estimated cost of the project. Counties may transfer money from property taxes, bond proceedings, or any other county moneys.

House Bill 4093 A allows courts to impose a surcharge of up to \$5 on fines for parking violations and traffic offenses to pay capital costs or debt payments for courthouse projects.