

FISCAL IMPACT OF PROPOSED LEGISLATION

78th Oregon Legislative Assembly – 2016 Regular Session
Legislative Fiscal Office

Measure: HB 4135 Revised

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

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Measure Description:

Directs State Chief Information Officer to develop standards, protocols and procedures for specified executive department agencies to use in fulfilling public records requests that seek records in electronic form.

Government Unit(s) Affected:

Department of Administrative Services (DAS)

Summary of Expenditure Impact:

The measure results in costs of \$266,095 Other Funds in 2015-17 and the creation of two limited duration positions. Information on 2017-19 costs is not available, but it is assumed that the agency will need ongoing funding and staffing to continue this work.

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 bill requires the Department of Administrative Services (DAS) to coordinate efforts for Executive Branch agencies to fulfill public records requests when DAS is the custodian of the electronic information. The bill further prescribes the responsibilities of DAS regarding electronic records and charges DAS with working with agencies to ensure consistency between agencies when multiple agencies are involved with a single public records request. DAS is authorized under the bill to adopt administrative rules to carry out this work.

DAS anticipates needing two limited duration positions in 2015-17 to carry out his work. While the positions are proposed as limited duration, that is only in order to get the program operational. The agency will assess the ongoing need and propose permanent funding and staffing as part of their 2017-19 budget proposal. Originally, it was assumed that all costs, both in 2015-17 and in 2017-19 would be covered by statewide assessments charged to agencies; however, the Legislative Fiscal Office has determined that the Department can pay for the two positions in 2015-17 with existing Other Funds expenditure limitation and revenue. The position authority for the two limited duration positions will be established in a budget reconciliation bill during the 2016 legislative session.