

STAFF MEASURE SUMMARY

CARRIER: Sen. Shields

Joint Committee On Ways and Means

Fiscal: Fiscal impact issued  
Revenue: Revenue impact issued

Action Date: 02/25/16  
Action: Do Pass The B-Eng Bill.  
Meeting Dates: 02/25

Vote:

Senate

Yeas: 11 - Bates, Devlin, Girod, Hansell, Johnson, Monroe, Roblan, Shields, Steiner Hayward, Thomsen, Whitsett  
Exc: 1 - Winters

House

Yeas: 10 - Buckley, Gomberg, Huffman, Komp, McLane, Nathanson, Read, Smith, Whisnant, Williamson  
Nays: 2 - Rayfield, Whitsett

Prepared By: Steve Bender, Budget Analyst

**WHAT THE MEASURE DOES:**

Allows presiding judge of judicial district to impose a \$5 surcharge on parking and traffic violations, if county receives Article XI-Q bond proceeds for county courthouse repair or replacement. Requires county commissioners to request surcharge and requires Chief Justice approval 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. Requires participating county to establish a courthouse surcharge account and deposit surcharge revenue into that account.

Requires circuit court to distribute traffic and parking fine collection revenues to other parties specified in law, prior to making distribution to county for the courthouse surcharge account. 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:**

- Restrictions on surcharges authorized in bill
- Distribution of traffic and parking fine revenue when fine is only partially paid
- Need to replace certain county courthouses, and need to raise additional funds for replacement costs

**EFFECT OF COMMITTEE AMENDMENT:**

No amendment.

**BACKGROUND:**

The Oregon Courthouse Capitol Construction and Improvement Fund was established in 2013 to provide state General Obligation bond funding for courthouses that have significant structural defects that present actual or potential threats to human health and safety. Since that time, projects have been approved in Multnomah, Jefferson, and Tillamook Counties. The 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 allows circuit courts to impose a \$5 dollar surcharge on fines for parking violations and traffic offenses to pay capital costs or debt payments for courthouse projects that are funded in the state budget. The revenue from the surcharge accrues to the county and is dedicated to the courthouse project.