

FISCAL IMPACT OF PROPOSED LEGISLATION

79th Oregon Legislative Assembly – 2017 Regular Session
Legislative Fiscal Office

Measure: SB 896

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

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Date: 4-5-2017

Measure Description:

Defines terms related to appeals.

Government Unit(s) Affected:

District Attorneys and their Deputies, Department of Justice, Judicial Department, Public Defense Services Commission

Summary of Expenditure Impact: See Analysis

Analysis:

The measure amends and repeals a number of statutes related to appeals in criminal cases and attempts to clarify which trial court decisions are appealable by both the defendant and the state. The measure is effective January 1, 2018.

The fiscal impact is indeterminate. The Department of Justice (DOJ) notes that because the measure provides for more opportunity to appeal misdemeanor cases, there is likely to have some impact on the Appellate Division’s Defense of Criminal Convictions program. However, the number of increases is unknown. If the number of misdemeanor appeals increases beyond the Department’s current capacity, DOJ may need to return to the legislature for additional resources or limitation.

The Judicial Department (OJD) and the Public Defense Services Commission anticipate a modest increase in misdemeanor cases that will be appealed; however, both agencies assume that these increases would be offset by reduction in workload with respect to the measures clarification related to determining appealability in criminal cases.