

**FISCAL IMPACT OF PROPOSED LEGISLATION**

**Measure: SB 851 - A**

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

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

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**Measure Description:**

Allows Oregon Military Department to receive certain information from an agency of the federal government and provide that information to a law enforcement agency.

**Government Unit(s) Affected:**

Oregon Military Department

**Summary of Expenditure Impact:** See Analysis

**Analysis:**

The measure allows the Oregon Military Department (OMD) to receive certain information from an agency of the federal government and provide that information to a law enforcement agency. The law enforcement agency may receive and maintain that information for the purpose of preventing terrorism. The measure stipulates that the information provided, received, or maintained may not be used for the purposes of prosecution. Finally, the Department may accept and manage threat-related information, including but not limited to redirecting information to appropriate law enforcement agencies.

Currently, the information described in the measure is provided to the Fusion Center (staffed by the Department of Justice) from federal agencies by a Memorandum of Understanding. OMD or other state agencies are not currently allowed to receive this type of information.

While the measure permits, rather than requires, OMD to receive and provide certain information, the Legislative Fiscal Office’s protocol is to issue an explanatory fiscal impact statement providing an analysis of the expenditures, revenues, staffing, and organizational effects of implementing the provisions of the measure if the agency decided to follow the measure’s language.

OMD notes that receiving, managing, and distributing this type of Homeland Security information is not part of its current functions. If OMD was required to analyze information received, similar to the current role of the Fusion Center, before OMD provides it to law enforcement agencies, then additional staffing resources would be required to accomplish this function. However, if OMD is merely redirecting information that the Fusion Center has already analyzed, there would be a minimal fiscal impact to the Department.