

**FISCAL IMPACT OF PROPOSED LEGISLATION**

**Measure: SB 49 - 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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Date: 4/25/2017

**Measure Description:**

Prohibits removal of youth from current placement for purpose of receiving fitness to proceed evaluation.

**Government Unit(s) Affected:**

Oregon Health Authority (OHA), Department of Human Services (DHS), Oregon Youth Authority (OYA)

**Analysis:**

Senate Bill 49 prohibits removal of a youth from his or her placement for purposes of conducting an evaluation to determine his or her fitness to proceed in a juvenile delinquency proceeding unless the youth has been placed in a detention or youth correctional facility. If a youth is removed for purposes of receiving restorative services, the youth must be returned to his or her placement immediately upon the conclusion of restorative services unless the youth has been placed in a detention facility. When a youth is placed in the custody of the Department of Human Services (DHS), the Oregon Health Authority OHA is required to coordinate with DHS, the local juvenile department and the youth’s family in determining the most appropriate facility for placement while the youth receives restorative services. Provisions of the bill apply to court orders for fitness to proceed evaluations and restorative services made on or after January 1, 2018.

Oregon Health Authority (OHA)

This bill is anticipated to result in savings for OHA. With passage of this bill, youths who receive behavioral health services with the aim of restoring their fitness to assist with their legal defense would receive these services in a nonresidential setting in their community. This would reduce the burden on the youth mental health residential system and generate a projected (\$439,984) General Fund savings for the 2017-19 biennium. The 2019-21 Biennium anticipated roll-up savings is (\$585,312) General Fund.

This savings is anticipated in the agency’s budget as Policy Option Package 404.

Department of Human Services (DHS), Oregon Youth Authority (OYA)

Passage of this bill is anticipated to have no fiscal impact on DHS or OYA.