

**SB 505 B BUDGET REPORT and MEASURE SUMMARY**

**Carrier:** Rep. Williamson

**Joint Committee On Ways and Means**

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**Action Date:** 07/01/17

**Action:** Do Pass the B-Eng bill.

**House Vote**

**Yeas:** 8 - Gomberg, Holvey, Huffman, Nathanson, Rayfield, Smith Warner, Whisnant, Williamson

**Nays:** 2 - McLane, Smith G

**Exc:** 1 - Stark

**Senate Vote**

**Yeas:** 8 - DeBoer, Devlin, Frederick, Manning Jr, Monroe, Roblan, Steiner Hayward, Winters

**Nays:** 4 - Girod, Hansell, Johnson, Thomsen

**Prepared By:** Michelle Lisper, Department of Administrative Services

**Reviewed By:** John Terpening, Legislative Fiscal Office

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**Judicial Department**

**2017-19**

**Emergency Board**

**2017-19**

**Budget Summary**

	2015-17 Legislatively Approved Budget	2017-19 Current Service Level	2017-19 Committee Recommendation	Committee Change from 2015-17 Leg. Approved	
				\$ Change	% Change
<b><u>Oregon Judicial Department</u></b>					
General Fund	\$ -	\$ -	\$ 1,500,000	\$ 1,500,000	100.0%
Total	\$ -	\$ -	\$ 1,500,000	\$ 1,500,000	100.0%
<b><u>Emergency Board</u></b>					
General Fund	\$ -	\$ -	\$ 8,500,000	\$ 8,500,000	100.0%
Total	\$ -	\$ -	\$ 8,500,000	\$ 8,500,000	100.0%

**Position Summary**

**Oregon Judicial Department**

Authorized Positions	0	0	11	11
Full-time Equivalent (FTE) positions	0.00	0.00	7.79	7.79

**Summary of Revenue Changes**

Senate Bill 505 appropriates \$1,500,000 General Fund, and establishes ten permanent positions (7.29 FTE), and one limited-duration position (0.50 FTE) in the Oregon Judicial Department (OJD). OJD staff will assist in processing protective order requests and in conducting preliminary hearings. OJD will purchase and maintain recording equipment for District Attorneys in Multnomah, Jackson and Deschutes Counties.

In addition, the Subcommittee established \$8,500,000 General Fund special purpose appropriation to the Emergency Board, for additional expenses necessary to implement the requirements of the bill. This appropriation to the Emergency Board reflects the indeterminate nature of how the bill will be implemented among the counties across the state and the potential impact for which entities may request funds to carry out the provisions of the bill.

**Summary of Public Safety Subcommittee Action**

Senate Bill 505 requires county district attorneys to electronically record all grand jury proceedings, and to store and maintain copies of the audio recording. The measure provides for a phased-in implementation with Deschutes, Multnomah, and Jackson counties beginning to record grand jury proceedings on March 1, 2018, and all other counties in the state beginning on July 1, 2019.

The measure requires district attorneys to delegate recording and instruction to a grand juror, and to use the type of audio electronic recording devices provided and maintained by the Judicial Department.

Much of the costs of the measure are indeterminate, and will depend on the number of protective orders and preliminary hearings requested. Potentially impacted agencies include the courts, district attorneys, Department of Justice, Public Defense Services Commission, counties and cities. Due to the indeterminate nature, the measure sets aside \$8.5 million of General Fund in a special purpose appropriation to the Emergency Board, from which affected entities may request funds to carry out the provisions of the measure. Additionally, \$1.5 million General Fund is provided to the Judicial Department to provide funding for recording equipment and court costs in the three early-implementing counties only.

The Public Defense Services Commission, OJD and each county that begins the recording of grand jury proceedings by March 1, 2018, will submit a preliminary report to the Legislature by December 1, 2018. A second report is to be submitted on the implementation of the recording requirements, to the Joint Ways and Means and the Legislative Assembly related to judiciary, by February 1, 2019. The reports should include an initial assessment of the implementation in the early-implementing counties, but not limited to those counties; relevant information and data regarding the grand jury recording process; the preliminary hearing process; protective order process and data; information related to transcription; changes to policies or processes; and any legal issues or challenges arising from this measure.

## DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION

Oregon Judicial Department  
Michelle Lisper -- 971-283-6360

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
<b>SUBCOMMITTEE ADJUSTMENTS</b>									
<b>Oregon Judicial Department</b>									
<b>SCR 100 - Trial Courts</b>									
Personal Services	\$ 907,636	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 907,636	10	7.29
Services and Supplies	\$ 357,056	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 357,056		
Subtotal	\$ 1,264,692	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,264,692	10	7.29
<b>SCR 102 - Administration and Central Support</b>									
Personal Services	\$ 94,328	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 94,328	1	0.50
Capital Outlay	\$ 140,980	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 140,980		
Subtotal	\$ 235,308	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 235,308	1	0.50
<b>Oregon Judicial Department Total</b>	<b>\$ 1,500,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 1,500,000</b>	<b>11</b>	<b>7.79</b>
<b>Emergency Board</b>	<b>\$ 8,500,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 8,500,000</b>		
<b>SUBCOMMITTEE RECOMMENDATION</b>	<b>10,000,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>10,000,000</b>	<b>11</b>	<b>7.79</b>