

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 4149 - A

79th Oregon Legislative Assembly – 2018 Regular Session
Legislative Fiscal Office

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

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Measure Description:

Prohibits prosecuting attorney from conditioning plea offer or release on defendant's waiver of specified rights, eligibilities and legal challenges.

Government Unit(s) Affected:

Criminal Justice Commission (CJC), Department of Justice (DOJ), District Attorneys and their Deputies (DAs), Oregon Judicial Department (OJD), Public Defense Services Commission (PDSC), Department of Corrections (DOC)

Summary of Expenditure Impact:

Costs related to the measure are indeterminate at this time - See explanatory analysis.

Analysis:

The measure prohibits a prosecuting attorney from conditioning a plea offer or a release on a defendant’s waiver of specified rights, eligibilities and legal challenges and the court may not condition a defendant’s release on a defendant’s waiver of appearance in person at trial.

The fiscal impact to the Department of Corrections (DOC) is indeterminate. The Criminal Justice Commission (CJC) states that the potential impact to plea bargaining practices is difficult to analyze and could result in sentencing trend changes with a bed impact on DOC, or a change in the potential participants for downward departure programs.

There is a minimal fiscal impact anticipated to the Judicial Department, and no fiscal to the District Attorney’s and their Deputies, Department of Justice, or Public Defense Services Commission.