

FISCAL IMPACT OF PROPOSED LEGISLATION**Measure: SB 490 - A11**80th Oregon Legislative Assembly – 2019 Regular Session
Legislative Fiscal Office*Only Impacts on Original or Engrossed
Versions are Considered Official*Prepared by: Kim To
Reviewed by: Ken Rocco, Michelle Deister
Date: May 15, 2019**Measure Description:**

Adds individuals who have operated child care facility in violation of child care facility or Central Background Registry law to list of individuals who are prohibited from providing child care for five years.

Government Unit(s) Affected:

Oregon Department of Education (ODE), Oregon Employment Department (OED)

Summary of Fiscal Impact:

Costs related to the measure may require budgetary action - See analysis.

Summary of Expenditure Impact:

	2019-21 Biennium	2021-23 Biennium
Oregon Department of Education - General Fund		
Personal Services	166,762	233,582
Services and Supplies	84,032	99,041
Total General Fund	\$250,794	\$332,623
Oregon Department of Education - Federal Funds		
Personal Services	71,469	100,106
Services and Supplies	32,739	38,587
Total Federal Funds	\$104,208	\$138,693
TOTAL FUNDS	\$355,002	\$471,316
Positions	2	2
FTE	1.46	2.00

Analysis:

SB 490 prohibits permanently individuals who have been subject of substantiated report of child abuse in which victim suffered serious harm or death and individuals who are required to report as sex offenders from providing child care. The bill requires certain individuals who have been subject of founded or substantiated report of child abuse to apply and be enrolled in Central Background Registry prior to providing certain types of care. The bill authorizes Office of Child Care to impose civil penalty and file for injunctive relief if subject individual has not applied to and been enrolled in Central Background Registry and the individual provides child care or has child in individual's care. The -A11 amendment resolves conflicts with HB 227.

Oregon Department of Education (ODE)

ODE estimates the fiscal impact of complying with the provisions of this bill to be \$355,002 Total Funds and 2 positions (1.46 FTE) for the 2019-21 biennium; and \$471,316 Total Funds and 2 positions (2.00 FTE) for the 2021-23 biennium. This amount reflects the personal services and related services and supplies for one Compliance Specialist 1 position (0.83 FTE) and one Compliance Specialist 3 position (0.63 FTE) in the Office of Child Care to process applications, communicate with individuals with founded child abuse, prepare documents and notices for appeals of denial of entry into the Central Background Registry. Included in the Services and Supplies line item

are \$12,000 in Attorney General fees and \$45,000 for administrative hearing judge expenses. The expanded list of individuals, along with the requirement to be enrolled in the Central Background Registry before providing license-exempt care, is anticipated to increase staff workload related to performing suitability determinations in enrollment and monitoring to ensure the above providers are not offering license-exempt care without Central Background Registry enrollment. Additionally, any individual who is denied enrollment in the Central Background Registry can request a contested case hearing, which will have an additional fiscal impact in both staff time and Department of Justice and administrative hearing expenses.

Oregon Employment Department (OED)

The fiscal impact of this measure on OED, Office of Administrative Hearings is anticipated to be minimal.