

FISCAL IMPACT OF PROPOSED LEGISLATION

80th Oregon Legislative Assembly – 2019 Regular Session
Legislative Fiscal Office

Measure: SB 226 - 2

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

Prepared by: Haylee Morse-Miller
Reviewed by: Ken Rocco, John Borden, Theresa McHugh, Gregory Jolivette
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Measure Description:

Permits minor political parties to choose to nominate candidates for particular offices as part of state-sponsored primary election.

Government Unit(s) Affected:

Cities, Counties, Secretary of State (SOS), Department of Revenue (DOR), Oregon Judicial Department (OJD), Legislative Assembly

Summary of Fiscal Impact:

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

Analysis:

HB 226 - 2 relates to city incorporation; specifically, this measure is applicable to the disincorporation status of the City of Damascus.

Under this measure, a city is deemed to be disincorporated if the Secretary of State (SOS) determines that:

- An election was held between January 1 and July 1, 2016 on the question of whether to disincorporate, and the disincorporation was approved by voters;
- The city charter was surrendered to the county the city is within; and,
- The Department of Revenue (DOR) approved a city boundary change.

The measure allows the Legislative Assembly to refer an Act to voters in the city during the next primary election to determine disincorporation status, and to ratify the results of a disincorporation vote held before the effective date of this measure.

The Supreme Court is given jurisdiction to confirm the validity of this measure, if a petition for judicial review is filed within 30 days after this bill takes effect. The measure includes an emergency clause and takes effect upon passage. Proceedings for review of this issue are given priority over all other matters before the Supreme Court.

Costs of implementing this measure are indeterminate for SOS and the Oregon Judicial Department (OJD), and dependent on whether there are legal proceedings related to this issue. Should this measure be brought before the Supreme Court, OJD anticipates costs of approximately \$57,985 General Fund based on the staff time required to hear similar cases; this number could vary based on case complexity, dissenting opinions, etc. OJD also anticipates that implementation of this measure could lead to processing delays for other cases the Court hears and will likely draw staff away from other assigned work. Due to the indeterminate nature of this measure, the Legislative Fiscal Office assumes that SOS and OJD will seek support from the Emergency Board or Legislative Assembly if legal costs exceed currently budgeted expenditures.

There is no fiscal impact anticipated for cities, counties, DOR, or the Legislative Assembly.