

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 3431 - A

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

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

Prepared by: Haylee Morse-Miller
Reviewed by: Kim To, Ken Rocco
Date: May 21, 2019

Measure Description:

Limits definition of "visitor venue" to include convention or exposition centers, zoos, performing arts centers or certain other venues or attractions dedicated to tourism, travel, hospitality or entertainment for purpose of establishing prioritization of vending facility management by persons who are blind.

Government Unit(s) Affected:

Oregon Commission for the Blind (OCB), Metro

Summary of Fiscal Impact:

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

Analysis:

HB 3431 - A further defines situations in which a person who is blind should have priority or preference to manage vending facilities at public buildings or properties. Vending facilities are defined as vending machines, cafeterias or snack bars, and some types of food vending equipment. This measure also defines "visitor venues" as public buildings or properties operated by a political subdivision, which includes convention centers, zoos, performing arts centers, museums, golf courses, sporting event facilities, and commercial airports.

Under current statute, a person who is blind has priority to manage vending facilities in buildings or properties occupied by State of Oregon entities or political subdivisions, excluding public elementary schools, secondary schools, public universities, and public corporations.

HB 3431 - A exempts "visitor venues" from providing priority or preference for vending facility management to vending facility managers who are blind. Under this measure, a person who is blind:

- Has priority to manage vending facilities in public buildings, unless the facilities are cafeterias or located at community colleges or at a visitor venue.
- Has priority to operate vending machines at visitor venues.
- Has preference to operate cafeterias in public buildings except for those at visitor venues.
- Has preference to operate vending facilities at community colleges.

The Oregon Commission for the Blind (OCB) operates the Business Enterprise Program, which licenses and supports blind persons who operate vending facilities. OCB reports no fiscal impact as this measure retains current preference and priority for certain vendor contracts that are already in force.

There is no fiscal impact on Metro if the measure passes.

If this measure does not pass, Metro reports that it could lose up to \$27.2 million in potential revenue if blind vendors were to exercise a right of first refusal for visitor venue contracts. Interpretations of current statute would require Metro to first offer food and beverage contracts for visitor venues to a person who is blind. Owners of public buildings cannot charge certain operating fees, such as rent or commissions, to vending facility managers who are blind, which could lead to a multimillion-dollar loss of revenue across Metro's performing arts venues.