

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 2431 - A

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

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

Prepared by: Meg Bushman-Reinhold
Reviewed by: Ken Rocco, John Borden, Theresa McHugh, Paul Siebert
Date: March 27, 2019

Measure Description:

Requires each state agency to report to Attorney General, Public Records Advocate and public records subcommittee of Legislative Counsel Committee on number of public records requests received during preceding year, and number of those requests still outstanding after specified periods of time.

Government Unit(s) Affected:

Department of Human Services (DHS), Board of Parole and Post-Prison Supervision (BOPPS), Oregon Youth Authority (OYA)

Summary of Fiscal Impact:

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

Analysis:

HB 2431 requires each state agency to report to the Attorney General, Public Records Advocate, and public records subcommittee of Legislative Counsel Committee. The report shall capture information regarding public records requests during the preceding year and is to include:

- The number of requests for records received by the agency,
- The number of requests for records received by the agency for which the agency had not completed its response by the date prescribed under ORS 192.329,
- The number of requests for records received by the agency that had not been completed under ORS 192.329 within 60 days of the date the requests were received by the agency, and
- The number of requests for a fee waiver or reduction that the agency has granted and the number of requests for a fee waiver or reduction that the agency has denied.

This report is due on or before March 1st of each year. The first report is due March 1, 2021 and will report on public records information for the 2020 calendar year.

Department of Human Services

DHS does not have a centralized process for receiving, tracking, and responding to public records requests. Individual programs respond to public records requests with varying levels of success and with various tracking mechanisms, which typically include the use of Excel spreadsheets. Programs are not currently tracking the metrics required by this bill.

In order to produce a quality report, DHS needs to establish a uniform tracking process for the receipt, completion, and payment of public records requests. The data from each program will need to be compiled and verified to produce the annual report to the Attorney General, Public Records Advocate, and public records subcommittee of Legislative Counsel Committee. DHS will need an Operations and Policy Analyst 3 to meet the requirements of this bill.

The fiscal impact to DHS is \$90,395 General Fund and \$90,095 Federal Funds for an Operations and Policy Analyst 3 (0.75 FTE) for the 2019-21 biennium, and \$118,773 General Fund and \$118,373 Federal Funds for this position (1.00 FTE) for the 2021-23 biennium.

Board of Parole and Post-Prison Supervision, Oregon Youth Authority, Board of Pharmacy

For the Board of Parole and Post-Prison Supervision and the Oregon Youth Authority, the additional workload to meet the requirements of this bill will likely have a fiscal impact, but the amount is indeterminate at this time. Any fiscal impact would be to the General Fund.

Statewide

The remaining state agencies anticipate a minimal fiscal impact to implement this bill.