

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: SB 965

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

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

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Measure Description:

Expands offense of driving while under influence of intoxicants to include any drug that is used in combination with intoxicating liquor, inhalant, cannabis or controlled substance.

Government Unit(s) Affected:

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

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
Department of Corrections -General Fund		
Personnel Costs	42,207	118,205
Services and Supplies	12,607	35,308
Special Payments to Community Corrections	17,572	69,206
Total Costs	\$72,386	\$222,719

Analysis:

This expands the definition of “Intoxicants” as it applies the crime of driving under the influence (DUII), as well as other related sections of statute. This bill changes the definition of intoxicants to include:

- Intoxicating liquors
- Inhalants
- Cannabis
- Controlled substances
- Or any drug as defined in ORS 475.005 if used in combination with intoxicating liquors, inhalants, cannabis, or controlled substances.

Redefining intoxicants in statute will impact violations, misdemeanors and felonies.

Department of Corrections

The Department of Corrections (DOC) is responsible for felony offenders with prison sentences exceeding one year. Felony probation and local control offenders and designated drug-related misdemeanors are overseen by Community Corrections (counties) and funded by the Legislature through DOC.

The Criminal Justice Commission estimates this bill would result in an additional 5 convictions for felony DUII each biennium. For 2019-21, the incremental prison bed cost to the Department of Corrections would be \$54,814 General Fund, with special payments to counties of \$17,572 General Fund. Costs to the Department of

Corrections for the 2021-23 biennium are anticipated to total \$222,719 General Fund, which includes \$69,206 in special payments to counties.

The fiscal impact to the Oregon State Police, District Attorneys, Criminal Justice Commission, the Department of Justice, the Oregon Judicial Department, and the Public Defense Services Commission is anticipated to be minimal.