

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 3055 - A

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:

Prohibits sale of mattress or children's product that incorporates or bears specified chemicals unless person affixes or attaches warning to mattress or children's product.

Government Unit(s) Affected:

Oregon Health Authority (OHA), Oregon Judicial Department (OJD)

Summary of Fiscal Impact:

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

Summary of Expenditure Impact:

	2019-21 Biennium	2021-23 Biennium
General Fund		
Personal Services	317,339	477,706
Services and Supplies	238,078	157,057
Total Funds	\$555,417	\$634,763
Positions	3	3
FTE	2.00	3.00

Analysis:

HB 3055 prohibits a retailer from selling or offering for sale in Oregon a mattress or children’s product that incorporates or bears a fire-retardant chemical in concentrations of more than one-tenth of one percent by mass. The measure allows the Director of OHA to petition a circuit court for an injunction restraining further violations.

Oregon Health Authority (OHA)

OHA estimates the fiscal impact of this measure to be \$577,039 General Fund and 3 positions (2.00 FTE) for the 2019-21 biennium; and \$634,763 General Fund and 3 positions (3.00 FTE) for the 2021-23 biennium. To comply with the requirements of the measure, OHA would need to procure equipment, establish a data system, and hire additional staffing to administer this new regulatory program. Staffing costs reflect:

- One Program Analyst 2 position to coordinate all program activities including outreach, communication, rule writing, and data analysis.
- One Administrative Specialist 2 to perform all support functions for the program including mailings, phone and communication support, appointments and supply ordering.
- One Compliance Specialist 2 position to carry out investigations of violations, random merchandise purchasing for testing, case review coordination, and civil penalty coordination.

Included in the 2019-21 services and supplies amount are Office of Information Services expenses to establish the database and Attorney General expenses.

The measure authorizes OHA to impose a civil penalty of \$1,000 for a first violation and \$2,500 for each subsequent violation. Revenues from penalties are indeterminate, at this time.

Oregon Judicial Department (OJD)

The fiscal impact of this measure on OJD is anticipated to be minimal. OJD will use existing staff and resources to handle any additional case filings in the circuit and the Court of Appeals.