

**FISCAL IMPACT OF PROPOSED LEGISLATION****Measure: SB 310**

82nd Oregon Legislative Assembly – 2023 Regular Session

Legislative Fiscal Office

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

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**Measure Description:**

Increases amount of civil penalty Attorney General may obtain for violation of antitrust statutes from \$250,000 to \$1 million.

**Government Unit(s) Affected:**

Department of Justice, Criminal Justice Commission, Oregon Youth Authority, Counties, Judicial Department, Cities, Department of Corrections, District Attorneys, Public Defense Services Commission

**Summary of Fiscal Impact:**

Costs related to the measure are anticipated to be minimal - See explanatory analysis.

**Analysis:**

The measure increases the amount of civil penalty the Department of Justice may obtain for violation of antitrust statutes from not more than \$250,000 to not more than \$1 million and raises a violation from a Class A Misdemeanor to a Class B Felony, increasing the maximum fine from \$6,250 and 364 days' of imprisonment to \$250,000 and 10 years of imprisonment.

There is anticipated to be a minimal fiscal impact for the Judicial Department. Although the violation is increasing from a misdemeanor to a felony, the Department of Corrections does not anticipate a fiscal impact due to Criminal Justice Commission data indicating there has only been one criminal conviction in over a decade. There is no fiscal anticipated for the Department of Justice, Oregon Youth Authority, Criminal Justice Commission, Public Defense Services Commission, District Attorneys, Cities, or Counties.

The Department of Justice (DOJ) reported a no expenditure impact arising from the measure; however, the Legislative Fiscal Office notes that DOJ routinely enforces antitrust laws and any additional revenue from the increases to the civil penalty would be deposited into the Protection and Education Revolving Account. The amount of potential additional revenue is indeterminate and will be dependent on the number of successful civil penalty violations.