

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: SB 517 - A

82nd Oregon Legislative Assembly – 2023 Regular Session

Legislative Fiscal Office

Only Impacts on Original or Engrossed Versions are Considered Official

Prepared by: Emily Coates
Reviewed by: Michelle Deister, April McDonald, Matt Stayner, John Terpening, Ben Ruef, Julie Neburka, Haylee Morse-Miller, Steve Robbins, Michael Graham, John Borden, MaryMichelle Sosne, Tim Walker
Date: 4/5/2023

Measure Description:

Prohibits licensing board, commission, or agency from denying, suspending or revoking occupational or professional license solely for reason that applicant or licensee was convicted of crime or subject to qualifying juvenile adjudication that does not substantially relate to specific duties and responsibilities for which license is required.

Government Unit(s) Affected:

Real Estate Agency, Board of Tax Practitioners, Teacher Standards and Practices Commission, Construction Contractors Board, Oregon Racing Commission, Oregon Liquor and Cannabis Commission, Department of Consumer and Business Services, Landscape Architect Board, Board of Medical Imaging, Judicial Department, Board of Speech-Language Pathology and Audiology, Department of Transportation, Veterinary Medical Examining Board, Water Resources Department, Board of Massage Therapists, Oregon Medical Board, Board of Naturopathic Medicine, Board of Nursing, Occupational Therapy Licensing Board, Board of Pharmacy, Board of Physical Therapy, Board of Examiners for Engineering and Land Surveying, Board of Geologist Examiners, Oregon Health Authority, Department of Justice, Landscape Contractors Board, Board of Accountancy, Department of Agriculture, Board of Architect Examiners, Board of Chiropractic Examiners, Board of Licensed Social Workers, Mortuary and Cemetery Board, Board of Optometry, Department of Public Safety Standards and Training, Appraiser Certification and Licensure Board, Board of Licensed Professional Counselors and Therapists, Board of Dentistry, Mental Health Regulatory Agency, Health Related Licensing Boards, Board of Psychology

Summary of Fiscal Impact:

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

Analysis:

The measure prohibits licensing boards, commissions, and agencies from denying, suspending, or revoking occupational or professional licenses on previous qualifying juvenile adjudications that do not relate to specific duties and responsibilities of the licensee. The measure allows a person convicted of crime to petition a licensing board, commission, or agency at any time for determination as to whether a criminal conviction or qualifying juvenile adjudication will prevent the applicant from receiving a license or certification.

In addition, the measure authorizes a licensing board, commission, or agency to charge a reasonable fee to recover the costs of making the determination and, before making a final determination, requires the board, commission, or agency to notify the petitioner or applicant in writing. The measure requires licensing boards, commissions, and agencies to include a notice in all application forms that states whether a criminal conviction or qualifying juvenile adjudication is a possible basis for denying the license; the considerations set forth in the determination; and that applicants have the right to petition at any time. The measure takes effect on January 1, 2024, and becomes operative on July 1, 2024.

The fiscal impact of the measure is indeterminate at this time due to the uncertainty of how many applicants will take advantage of predetermination; how many applicants will petition after being notified of final

determination; how much an agency will charge for reasonable fees; and what type of evidence agencies are required to gather when determining whether a criminal conviction or qualifying juvenile adjudication substantially relates to specific duties and responsibilities of the licensee. Agencies report that the ramifications of the measure cannot be fully predicted and may require additional resources.

This measure requires a subsequent referral to the Joint Committee on Ways and Means for consideration of its budgetary impact.