

**REVENUE IMPACT OF
PROPOSED LEGISLATION**
82nd Oregon Legislative Assembly
2024 Regular Session
Legislative Revenue Office

Bill Number: HB 4097 - 6
Revenue Area: Court Fees
Economist: Mazen Malik
Date: 02-27-2024

Only Impacts on Original or Engrossed Versions are Considered Official

Measure Description:

Modifies the process for setting aside convictions, dismissals and guilty except for insanity judgments.

Revenue Impact:

Fines/Fees Accounts	2023-2025 (6 Months)	Revenue 2025-2027	Revenue 2027-2029
Application Contribution Account (ACP)	(\$16,746)	(\$116,923)	(\$114,000)
Criminal Fine Account (CFA)	(\$319,059)	(\$2,325,274)	(\$2,267,142)
General Fund (GF)	(\$201,672)	(\$1,318,975)	(\$1,286,001)
Local Agencies	(\$22,023)	(\$103,401)	(\$100,816)
Total	(\$559,500)	(\$3,864,573)	(\$3,767,959)

Impact Explanation:

This measure allows the court to waive remaining fines and fees, other than compensatory fines, upon entry of the order setting aside the associated conviction. Clarifies that if the criminal classification of a conviction has been reduced by the court, the applicable time to wait for a set aside is the time period for the reduced conviction’s classification. Cases with balances for Restitution or Compensatory Fines have been excluded.

Assumes implementation date of January 1, 2025. Projected revenue loss for 2023-25 and 2025-27 based on collections of fines and fees on eligible judgments. Includes eligibility requirement of cases with judgments entered 10 or more years ago. Revenue reductions continues over time as more judgments become eligible for set aside. Those eligible judgments would not have more time to age and receive payments. Cumulative collection rates (over 20 years) for eligible judgments include 41.9% for Felony, 63.8% for Misdemeanor, and 74% for Violations. The revenue loss is estimated at 70% of the maximum of all eligible judgments with outstanding fines and fees are set aside. However, the actual revenue impact will depend on the number of set asides filed and granted.

Creates, Extends, or Expands Tax Expenditure: Yes No

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