

HB 4094 A STAFF MEASURE SUMMARY

House Committee On Emergency Management, General Government, and Veterans

Action Date: 02/15/24

Action: Do pass with amendments and be referred to Ways and Means. (Printed A-Eng.)

Vote: 7-0-0-0

Yeas: 7 - Conrad, Dexter, Evans, Grayber, Hieb, Lewis, Tran

Fiscal: Fiscal impact issued

Revenue: Revenue impact issued

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Meeting Dates: 2/13, 2/15

WHAT THE MEASURE DOES:

The measure extends the permitted use of Article XI-Q bonds from replacing a courthouse to include the renovation or expansion of a courthouse by remodelling or repairing the courthouse.

Detailed Summary

Extends the permitted use of Article XI-Q bonds from replacing a courthouse to include the renovation or expansion of a courthouse by remodelling or repairing of the courthouse, including the remediation of significant or seismic defects. Specifies improvements will provide suitable and sufficient court facilities. Continues to require Department of Administrative Services approval, after a determination has been made by the Chief Justice of the Supreme Court that the requirements in the measure are met. Allows a credit to the county equal to the higher appraised value or the actual purchase price of any space in existing buildings being converted to a courthouse and state office use if the state approves the conversion. Allows a credit for actual costs of relocating county offices to vacate space being converted to a courthouse and state office use.

ISSUES DISCUSSED:

- Existing bond program
- Historic and cultural value of rural courthouses
- Repair and safety needs of existing courthouses
- Questions about seismic upgrade requirements
- Suggestions for including renovation and refurbishment to bill language

EFFECT OF AMENDMENT:

Adds renovating, remodeling, and repairing to approved bond use; specifies that improvements will provide a suitable and sufficient court facility; and clarifies credit for relocating county offices to vacate space being converted to courthouse and state office use is for actual costs.

BACKGROUND:

According to ORS 1.185, counties are required to provide suitable and sufficient courtrooms, offices, and jury rooms as well as maintenance and utilities for these facilities. In 2011, the Legislative Assembly passed House Bill 3525, which created the Courthouse Capitol Improvement Trust Fund. Ten percent of punitive damage awards are deposited into the fund. Working in conjunction with the Trust Fund, the XI-Q bond program allows for courthouse replacement projects or remodels of buildings that are not existing courthouses; and requires a 50 percent match in funds by the participating county. The Trust Fund and Article XI-Q bonds have allowed some counties to finance courthouse replacements.

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There have been several studies documenting the facility needs of Oregon courthouses, including the "Report on Oregon Court Facilities" by the Court Facilities Task Force (Oregon State Bar, 2006); "2008 State of the Oregon Courts" by the Oregon Judicial Department (OJD, 2008), the "Report of the Interim Committees on Court Facilities" drafted by Committee Services (Committee Services is now LPRO, 2009), and the "Lane County, Oregon, Court Facility Needs Assessment" by the National Center for State Courts (NCSC, 2016).