

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 2238

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:

Authorizes Director of Department of State Lands to adopt rules establishing fees related to removal or fill permit applications, wetland delineation reports and general authorizations.

Government Unit(s) Affected:

State Treasurer, Department of State Lands

Summary of Fiscal Impact:

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

Analysis:

HB 2238 requires the Department of State Lands (DSL) to establish by rule fees for:

- Applications for, and renewal of, removal or fill permits.
- Review of wetland delineation reports.
- General authorizations, which is to be based on the cost of processing the general authorization.

These fees are currently defined in statute. The bill would allow the fees to be set by administrative rule, subject to legislative ratification. The fees must be established in rule by July 1, 2025.

Operative January 1, 2024, DSL may remove, store, and dispose of personal property that the department has determined to have been left on state lands without authorization. Before removing personal property, the department must post written notice, in both English and Spanish, which includes information about storage of property. Notice is not required under certain circumstances, such as items presenting an immediate danger to health and safety.

DSL may remove property 24 hours after posting notice, and must remove it within 10 days. Property must be stored in a manner that is reasonably likely to protect the personal property from harm; in a location that is reasonably secure; and in a location that is reasonably accessible to the site where the personal property was found. The property may be donated or disposed of after 30 days if not claimed. DSL may collect the costs of removing, storing, returning, donating or disposing of the personal property from the property owner.

The measure takes effect on the 91st day after the Legislature adjourns sine die.

While there is minimal fiscal impact anticipated from this measure, the Legislative Fiscal Office notes that any fees established by the agency will be subject to Legislative ratification.

Under Unclaimed Property statutes, DSL is required to hold personal property for up to two years. Reducing holding of some property to 30 days will likely result in savings for DSL, though the total savings are indeterminate at this time.