

HB 4094 -1 STAFF MEASURE SUMMARY

House Committee On Emergency Management, General Government, and Veterans

Prepared By: Beverly Schoonover, LPRO Analyst

Meeting Dates: 2/13, 2/15

WHAT THE MEASURE DOES:

Expands the permitted use for Article XI-Q bonds from replacing a courthouse to also include expansion of a courthouse, including remodeling and repairing space in an existing building, or constructing a new space.

Detailed Summary

The measure expands the permitted use of Article XI-Q bonds from replacing a courthouse to include the expansion of an existing courthouse, including the remediation of significant or seismic defects. 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 for 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 and a credit for relocating costs.

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 renovate and refurbishment to bill language

EFFECT OF AMENDMENT:

-1 Adds renovating, remodeling and repairing to approved bond use; specifies that improvements will provide a suitable and sufficient court facility; 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 and provide maintenance and utilities for these facilities. In 2011, the Legislative Assembly passed HB 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.

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, Oregon Judicial Department (OJD, 2008), the Report of the Interim Committees on Court Facilities, drafted by Committee Services for the Committee (Committee Services is now LPRO, 2009), and Lane County, Oregon Court Facility Needs Assessment, by the National Center for State Courts (NCSC, 2016).