



Date: March 18, 2026

To: Robert Harris, Chair of OPDC
Susan Mandiberg, Vice Chair of OPDC
OPDC Commissioners

Cc: Kenneth Sanchagrin, Executive Director

From: Lisa Taylor, Government Relations Manager

Re: 2026 Legislative Session Report

Nature of Presentation: Briefing

OPDC 2026 Legislative Session Report

Overview

The 2026 Oregon legislative session, a 35-day “short session” that convened on February 2, was dominated by efforts to rebalance the state budget amid a projected \$900 million deficit rising from the impacts of the Federal HR 1. Before the session began, agencies were required to submit potential budget reduction options the Legislature could consider in rebalancing the budget. While the passage of [SB 1507](#), which disconnected parts of the State’s tax code from the Federal tax code, significantly reduces the projected budget deficit, the Legislature still needed to [make reductions](#) to rebalance the budget, which is a constitutional mandate.

Most relevant to OPDC, the 2026 session included:

- Budget adjustments enacted through House Bill 5204,
- Multiple informational reports to the Joint Ways and Means Subcommittee on Public Safety, and
- Monitoring of legislation that could affect the Commission or public defense system capacity.

Legislative information and bill materials for the session are available through the [Oregon Legislative Information System \(OLIS\)](#).

Budget

As discussed at the [October Commission Meeting](#), OPDC was required to submit a [5% budget reduction](#) list to the Legislature. In the end, internal administrative and cost-containment measures were selected for reductions, along with unspent law school clinic funding from the prior biennium. The Legislature enacted statewide budget adjustments, including those for OPDC, through [House Bill 5204](#), which is the primary budget reconciliation bill for the 2025–27 biennium.

More specifically, OPDC will see \$1.5 million in budgetary adjustments, which include an increase of \$2.3 million in the General Fund and a decrease of \$824,170 in Other Funds. The agency's total funds budget increased 0.2% from the 2025-27 legislatively approved budget. However, this increase is due to the statewide cost-of-living adjustment (aka "salary pot"), which is a standard practice across the entire enterprise, not specific OPDC program investments. All other changes to OPDC programs were budget neutral. The full [Budget Report](#) can be found on the Legislature's website. Below is a summary.

Oregon Trial Division and *Roberts* Response

In January, OPDC requested \$1.6 million for 6 Oregon Trial Division (OTD) attorneys to begin on July 1. This request was approved by the January Interim Ways and Means and included in the initial version of HB 5204. This was a budget-neutral request with funding shifted from Court Mandated Expenses (CME) to the Trial Division. In response to *Roberts*, which was decided right after the 2026 session began, OPDC requested that the start dates for those 6 positions be moved up to March 1, at an additional cost of \$511,502. This was included in the final amended version of 5204, with the additional funds also shifted from CME.

To further respond to the *Roberts* decision, OPDC requested 2 additional Trial Division attorneys, 5 support staff, and 2 case assignment coordinators for a total cost of \$1.9 million. The request was approved and included in HB 5204, with the funds being transferred from the Adult Trial Division to the Trial Representation Division (for the additional attorneys and support staff) and the Administrative Service Division (for the case assignment coordinators).

Realignment

A net-zero budgetary realignment of agency positions was also included in HB 5204. These are not new positions, but rather existing positions being moved within the agency.

- Moved 7 Resource Counsel and 1 Admin from the compliance, audit and performance division (CAP) to the newly created Resource Counsel Division
- Moved 1 Senior Research Analyst from Procurement to CAP-Research
- Moved 1 Operations and Policy Analyst 3 from the financial and case management system to the Legislative and Communications Division

Application Contribution Program Technical Adjustment

The Legislature approved an agency request for a technical adjustment to reduce Other Funds expenditure limitation by \$952,073 for a revenue shortfall in Court-Mandated Expenses and the Application Contribution Program. This adjustment aligns program expenditures with forecasted revenues.

Budget Reductions

To rebalance the state budget, the following reductions were enacted, totaling \$1.3 million General Fund:

- \$50,000 Services and supply reduction for the Executive Division,
- \$612,000 Vacancy saving from CAP,
- \$313,000 Training and travel reductions for Trial Representation, and
- \$321,412 General Fund in services and supplies tied to the three law school clinics funded by OPDC. This represents an unspent amount from the 2023-25 biennium.

Other

The only non-budget-neutral investment OPDC received was an increase in the “salary pot,” which is a statewide process designed to cover cost of living adjustments for state employees. The agency received \$3.6 million in General Funds and \$128,000 in Other Funds to increase OPDC agency staff salaries.

HB 5204 also included a request that the Department of Administrative Services (DAS) schedule the \$22.1 million that was contingent on OPDC submitting its Capacity Report to the Legislature (see below).

Reports

Throughout the 2026 session, OPDC provided several informational updates to the Joint Ways and Means Subcommittee on Public Safety, which oversees the agency's budget.

Public Defense Capacity Update

OPDC's [Capacity Report](#) provided a detailed comparison between budgeted and actual capacity amongst public defense providers. The report was well-received, and the Legislature requested that DAS schedule the \$22.1 million that was contingent on the submission of this report. OPDC was also directed to submit an updated Capacity Report during the 2027 session.

Key Performance Measures (KPMs)

OPDC provided updates on the development of [Key Performance Measures](#) that the agency will submit to the 2027 Legislature for approval. The legislature recommends that the agency review national best practices and develop KPMs that are more externally focused and that engage stakeholders.

Unrepresented Persons Update and *Roberts*

The Joint Ways and Means Subcommittee on Public Safety invited the Oregon

Judicial Department, OPDC, and the Oregon District Attorneys Association to provide [information](#) on their response to the *Roberts* ruling. The agency provided an update on the number of unrepresented individuals and on the collaborative work it is undertaking with the courts and local DAs to address *Roberts*. This presentation was well-received.

Policy

Several bills considered this session may be of interest to OPDC or public defense providers generally. OPDC received 40 fiscal requests on 21 bills throughout the session, most of which had minimal fiscal impact on the agency and providers.

[HB 4041](#): **Public safety omnibus**. This bill reduces two categories of driving while suspended from misdemeanors to violations; increases the presumptive sentence for fleeing or attempting to elude a police officer in a vehicle for either repeat offenses or when causing injury to another person; creates new procedural requirements for petitions for post-conviction relief for nonunanimous jury verdicts; establishes new procedures for sentence computations and for addressing erroneous releases (i.e., *Torres Lopez*); and increases the monetary value thresholds for varying degrees of theft and criminal mischief.

[HB 4151](#): **Swatting**. Increases the penalties for the crime of initiating a false report when a person intentionally causes an enhanced law enforcement response and recklessly causes serious physical injury or death as a result of the response.

[HB 4157](#): **Hearsay**. Provides that certain hearsay statements related to certain sex crimes are admissible in evidence, even though the declarant is available as a witness.

[HB 4177](#): **Public Meetings**. The measure changes the meaning of meetings, convening, and deliberation to restate the prohibition on serial communications while adding types of communications that are allowed and not considered public meetings.

[SB 1515](#): **Post-conviction relief (PCR)**. The act changes the law regarding compensation for wrongful convictions and creates a new PCR process when a conviction is based on discredited scientific analysis.

Future Legislative Days and OPDC Reporting Schedule

June 15-17 Legislative Days: No Reports

September 8-10 Legislative Days: Interim Status Report II

December 1-3 Legislative Days: Comprehensive Public Defense Report III

2027 Session: Law School Clinics Report; Capacity Report II