

Measure Number: 2024-401 HJR 16

Subject: Impeachment of Elected Officials by Legislature

Government Unit Affected: State of Oregon

Prepared by: Hari Vellaipandian, Department of Administrative Services

Reviewed by: Kate Nass, Department of Administrative Services

Date: June 12, 2024

Comments

Oregon is one of the only states to not include an impeachment doctrine in its Constitution. This referral would amend Oregon’s Constitution, Article IV, to allow the House of Representatives to impeach statewide elected officials for specific offenses of malfeasance or corrupt conduct in office, willful neglect of statutory or constitutional duty or other felony or high crime. The measure allows the Senate to try any impeachment received from the House. The House requires a two-thirds majority to deliver the resolution of impeachment. The Senate requires a two-thirds majority to convict. The Chief Justice shall preside over the senate trial.

The judgment extended may only remove the impeached individual from office and disqualify them from holding any other public office in Oregon. The impeached individual can still be criminally prosecuted and remains subject to civil liability, whether convicted or acquitted.

Fiscal Impact Summary

Executive Branch Assumptions:

- The salary saved from an executive branch official being impeached is indeterminable, and not accounted for in this analysis.

Legislative Branch Assumptions:

- Impeachment resolutions from the House and impeachment trials in the Senate are fiscally no different than any other issue that may be discussed during session. No additional resources are needed.

Judicial Branch Assumptions:

- Presiding over an impeachment trial in the Senate is a responsibility that will be included the Chief Justice’s stated duties and be covered by their salary.

Estimate of Financial Impact

There is no financial effect on either state or local government expenditures or revenues.

November 5, 2024 General Election

House Joint Resolution #16

“Amends Constitution: Authorizes impeachment of statewide elected officials by Oregon Legislature with two-thirds vote by each House; establishes process.”

Draft Estimate of Financial Impact:

This measure will have no financial effect on either state or local government expenditures or revenues.

Certification:

We, the undersigned, hereby certify that, pursuant to ORS 250.127(3), we have prepared the statement described under “Estimate of Financial Impact.”

LaVonne Griffin-Valade, Secretary of State

Date

Tobias Read, State Treasurer

Date

Berri Leslie, Director,
Department of Administrative Services

Date

Betsy Imholt, Director, Department of Revenue

Date

Ernest Stephens, City, County, or District representative

Date