

## SENATE AMENDMENTS TO A-ENGROSSED SENATE BILL 55

By JOINT COMMITTEE ON WAYS AND MEANS

July 1

- 1 On page 1 of the printed A-engrossed bill, line 2, after “ORS” insert “1.195,”.
- 2 On page 2, line 11, before “delinquent” insert “liquidated and”.
- 3 Delete lines 19 through 45.
- 4 On page 3, delete lines 1 through 7 and insert:
- 5 “(6) Rules adopted under subsection (2) of this section do not apply to state courts and com-
- 6 missions, departments and divisions in the judicial branch of state government, the Secretary of
- 7 State or the State Treasurer.
- 8 “(7) Except as provided in subsection (6) of this section, as used in this section, ‘state agency’
- 9 means any state officer, board, commission, corporation, institution, department or other state or-
- 10 ganization.
- 11 “**SECTION 2.** ORS 293.229 is amended to read:
- 12 “293.229. (1) Not later than October 1 of each fiscal year, each state agency shall submit a re-
- 13 port to the Legislative Fiscal Office that describes the status of that agency’s liquidated and delin-
- 14 quent accounts and efforts made by that agency to collect liquidated and delinquent accounts during
- 15 the previous fiscal year. The report required under this subsection shall be in a form prescribed by
- 16 the Legislative Fiscal Office and shall include but not be limited to:
- 17 “(a) Beginning balance and total number of all liquidated and delinquent accounts;
- 18 “(b) New liquidated and delinquent accounts added during the last preceding fiscal year;
- 19 “(c) Total collections of liquidated and delinquent accounts;
- 20 “(d) Total amount and total number of liquidated and delinquent accounts that have been writ-
- 21 ten off;
- 22 “(e) Total number and ending balance of all liquidated and delinquent accounts;
- 23 “(f) Total amount of liquidated and delinquent accounts turned over to private collection agen-
- 24 cies and total amount collected by those agencies under ORS 293.231; [and]
- 25 “(g) Total number and total amount of all liquidated and delinquent accounts exempted under
- 26 ORS 293.233; **and**
- 27 “**(h) A statement indicating whether the agency has liquidated and delinquent accounts**
- 28 **that are not exempt under ORS 293.233, or are otherwise prohibited or exempted by law from**
- 29 **assignment, for which no payment has been received for more than 90 days and that have**
- 30 **not been assigned to a private collection agency or to the Department of Revenue under ORS**
- 31 **293.231.**
- 32 “(2) The Legislative Fiscal Office shall produce an annual report not later than December 31
- 33 of each fiscal year on the status of liquidated and delinquent accounts of state agencies **and the**
- 34 **judicial branch of state government.** The report shall be based on the reports submitted by state
- 35 agencies as required in this section **and on reports submitted by the judicial branch of state**

1 **government under ORS 1.195.**

2 **“(3) The report required under subsection (2) of this section shall:**

3 **“(a) List those state agencies, including the judicial branch of state government, that**  
4 **have liquidated and delinquent accounts that are not exempt under ORS 1.198, 1.199 or**  
5 **293.233, or are otherwise prohibited or exempted by law from assignment, for which no pay-**  
6 **ment has been received for more than 90 days and that have not been assigned to a private**  
7 **collection agency or to the Department of Revenue under ORS 1.197 or 293.231;**

8 **“(b) List separately information about the liquidated and delinquent accounts of the**  
9 **Secretary of State, the State Treasurer, other state agencies in the executive branch of state**  
10 **government and the judicial branch of state government; and**

11 **“(c) Include any other information the Legislative Fiscal Office determines is necessary**  
12 **to describe the status of liquidated and delinquent accounts across offices and branches of**  
13 **state government.**

14 **“(4) Notwithstanding ORS 182.460, 284.118, 284.375, 352.138, 353.100, 377.836, 421.352, 656.753**  
15 **and 757.552, for purposes of this section, ‘state agency’ also includes semi-independent state**  
16 **agencies listed in ORS 182.454, the Oregon Tourism Commission, the Oregon Film and Video**  
17 **Office, the Travel Information Council, the Children’s Trust Fund of Oregon Foundation,**  
18 **Oregon Corrections Enterprises, Oregon Health and Science University, the State Accident**  
19 **Insurance Fund Corporation, the Oregon Utility Notification Center and public universities**  
20 **listed in ORS 352.002.**

21 **“SECTION 2a. ORS 1.195 is amended to read:**

22 **“1.195. (1) Not later than October 1 of each fiscal year, all state courts and all commissions,**  
23 **departments and divisions in the judicial branch of state government shall submit reports to the**  
24 **Legislative Fiscal Office that describe the status of the liquidated and delinquent accounts of the**  
25 **judicial branch of state government, and the efforts made to collect those liquidated and delinquent**  
26 **accounts during the immediately preceding fiscal year. The reports required under this subsection**  
27 **shall be in a form prescribed by the Legislative Fiscal Office and shall include but not be limited**  
28 **to:**

29 **“(a) The total number of all liquidated and delinquent accounts, and the balance for those ac-**  
30 **counts, at the beginning of the fiscal year;**

31 **“(b) The total number of all liquidated and delinquent accounts, and the balance for those ac-**  
32 **counts, at the end of the fiscal year;**

33 **“(c) The liquidated and delinquent accounts that have been added during the immediately pre-**  
34 **ceding fiscal year;**

35 **“(d) The total amount collected on liquidated and delinquent accounts during the immediately**  
36 **preceding fiscal year;**

37 **“(e) The total amount and total number of liquidated and delinquent accounts that have been**  
38 **written off during the immediately preceding fiscal year;**

39 **“(f) The total amount and total number of liquidated and delinquent accounts that have been**  
40 **assigned for collection, and the collection efforts made for those accounts, during the immediately**  
41 **preceding fiscal year;**

42 **“(g) The total amount and total number of liquidated and delinquent accounts that have been**  
43 **turned over to private collection agencies under ORS 1.197 and the total amount that has been**  
44 **collected by those agencies during the immediately preceding fiscal year;**

45 **“(h) The total amount and total number of accounts that have ceased to be liquidated and de-**

1 linquent during the fiscal year for reasons other than having been collected or written off;

2 “(i) The total number and total amount of all liquidated and delinquent accounts that have been  
3 exempted under ORS 1.199; *and*]

4 “(j) **A statement indicating whether the reporting state court, commission, department  
5 or division in the judicial branch of state government has liquidated and delinquent accounts  
6 that are not exempt under ORS 1.198 or 1.199, or are otherwise prohibited or exempted by  
7 law from assignment, for which no payment has been received for more than 90 days and  
8 that have not been assigned to a private collection agency or to the Department of Revenue  
9 under ORS 1.197; and**

10 “[*j*] (k) Any other information necessary to inform the Legislative Fiscal Office of the status  
11 of the liquidated and delinquent accounts of the judicial branch of state government.

12 “(2) The Legislative Fiscal Office shall [*produce an annual report, not later than December 31 of*  
13 *each fiscal year,*] **include information** on the status of the liquidated and delinquent accounts of the  
14 judicial branch of state government **in the annual report required under ORS 293.229**. The [*an-*  
15 *nual report*] **information** shall be based on the reports submitted under subsection (1) of this sec-  
16 tion.

17 “(3) The reports required under subsection (1) of this section may be made by the State Court  
18 Administrator on behalf of some or all of the state courts and on behalf of some or all of the com-  
19 missions, departments and divisions in the judicial branch of state government.”.

20 On page 5, line 2, after the period delete the rest of the line and lines 3 through 5 and insert  
21 “The criteria must be approved by:

22 “(A) The Attorney General in the case of the Secretary of State and State Treasurer;

23 “(B) The Chief Justice in the case of all state courts and all commissions, departments and di-  
24 visions in the judicial branch of state government; or

25 “(C) The Oregon Department of Administrative Services and the Attorney General in the case  
26 of other state agencies.”.

27 On page 6, delete lines 34 through 38 and insert:

28 “(6) As used in this section, ‘state agency’ means any state officer, board, commission, corpo-  
29 ration, institution, department or other state organization.

30 “**SECTION 6.** (1) The Oregon Department of Administrative Services shall monitor state agency  
31 debt collection functions described by law and assist state agencies in efforts to improve the col-  
32 lection of delinquent debts owed to state agencies. The department’s duties under this subsection  
33 include, but are not limited to:

34 “(a) Providing training to state agencies regarding processing and managing accounts receivable  
35 in compliance with applicable law and state policies.

36 “(b) Providing technical assistance to state agencies in resolving challenges in processing and  
37 managing accounts receivable and developing financial administrative systems to improve the han-  
38 dling of liquidated and delinquent accounts.

39 “(c) Developing performance standards for state debt collection, including but not limited to  
40 standards defining what constitutes liquidated and delinquent accounts and when state agencies may  
41 write off debt pursuant to ORS 293.240.

42 “(d) Working with state agencies to improve the quality and value of data that each state  
43 agency submits to the Legislative Fiscal Office for purposes of ORS 293.229.

44 “(e) Submitting an annual management report to the Legislative Assembly not later than De-  
45 cember 31 of each fiscal year, in conjunction with the report of the Legislative Fiscal Office

1 produced under ORS 293.229, that identifies important issues and significant trends in state agency  
2 debt collection practices and describes and evaluates efforts by state agencies to improve the col-  
3 lection of delinquent debt.

4 “(2) The department shall adopt policies.”.

5 On page 7, delete lines 17 through 22.

6 In line 30, before “delinquent” insert “liquidated and”.

7 Delete lines 40 through 43 and insert:

8 “(3) Rules adopted under subsection (2) of this section do not apply to the Secretary of State  
9 or the State Treasurer.

10 “(4) Except as provided in subsection (3) of this section, as used in this section, ‘state agency’  
11 means any state officer, board, commission, corporation, institution, department or other state or-  
12 ganization.”.

13 On page 9, line 38, after “ORS” insert “1.195,”.

14 On page 10, line 1, after “ORS” insert “1.195,”.

15 After line 2, insert:

16 **“SECTION 13. Notwithstanding any other law limiting expenditures, the amount of**  
17 **\$660,474 is established for the biennium beginning July 1, 2015, as the maximum limit for**  
18 **payment of expenses by the Oregon Department of Administrative Services from the Delin-**  
19 **quent Accounts Administration Fund established by section 9 of this 2015 Act for purposes**  
20 **of administering sections 1 and 6 to 8 of this 2015 Act.”.**

21 In line 3, delete “13” and insert “14”.

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