

SB 514 A STAFF MEASURE SUMMARY

Carrier: Sen. Linthicum

Senate Committee On Judiciary

Action Date: 02/22/17
Action: Do pass with amendments. (Printed A-Eng.)
Vote: 4-0-1-0
Yeas: 4 - Linthicum, Manning Jr, Prozanski, Thatcher
Exc: 1 - Dembrow
Fiscal: Has minimal fiscal impact
Revenue: No revenue impact
Prepared By: Channa Newell, Counsel

WHAT THE MEASURE DOES:

Removes requirement that Division of Child Support notify obligee of certain actions taken by Division against obligor.

ISSUES DISCUSSED:

- Division must provide notification to obligor in certain circumstances
- Notice required to be given to obligee upon issuing order to withhold earnings of obligor
- Notice required to be given to obligee when Division intends to refer case to Department of Revenue for tax refund collection purposes
- Notice required to be given to obligee when Division intends to report information on obligor to consumer reporting agencies
- Notice required to be given to obligee when lien placed on personal property of obligor
- Obligee has no right to object or intercede on noticed actions

EFFECT OF AMENDMENT:

Removes rule making provisions in original measure.

BACKGROUND:

The Division of Child Support is a division within the Oregon Department of Justice. It is responsible for processing over \$1 million each day in medical expenses and child support for children. The Division is required to give notice to the obligee of certain actions it is taking against an obligor. In many of these cases, the information in the notice is heavily redacted and may create confusion for the obligor receiving the notice. Currently, the Division must provide such a notice when it issues an order for withholding, intends to refer a case to the Department of Revenue for the purposes of collecting tax returns, intends to report information on the obligor's payments to a credit reporting agency, or intends to place a lien on the obligor's property. In these instances, the obligee is entitled to information but has no ability to object to the Division's actions.

Senate Bill 514 A removes the notice requirements to obligees for these four Division actions. It does not affect the notice requirements for the obligor or any other required entity.