

# DRAFT

## SUMMARY

Consolidates unpaid child support accruing under superseded child support order into amounts payable under later-issued court order.

### A BILL FOR AN ACT

Relating to child support; amending ORS 25.095.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1.** ORS 25.095 is amended to read:

25.095. (1) As used in this section:

(a) “Administrator” has the meaning given that term in ORS 25.010.

(b) “Child support judgment” has the meaning given that term in ORS 25.089.

(2) Notwithstanding the provisions of ORS 25.089, 25.091 and 25.531 to the contrary, the terms of a child support judgment originating under ORS 25.529 are terminated by the terms of a later-issued child support judgment of a court if:

(a) The two child support judgments involve the same obligor and child and the same period;

(b) The administrator is providing services under ORS 25.080;

(c) The administrator or a court gives the later-issued child support judgment precedence over the earlier-issued child support judgment originating under ORS 25.529; and

(d) All parties had an opportunity to challenge the amount of child support ordered in the later-issued child support judgment.

(3) Notwithstanding the provisions of ORS 25.091 (11) and 25.531 (7), for

1 purposes of reconciling any support payment records under the two child  
2 support judgments described in subsection (2) of this section:

3 (a) The terms of the child support judgment originating under ORS 25.529  
4 are deemed terminated on the effective date of the later-issued child support  
5 judgment; and

6 (b) Entry of the later-issued child support judgment does not affect **the**  
7 **amount of** any support payment arrearage or credit that has accrued under  
8 the earlier-issued child support judgment originating under ORS 25.529.

9 **(4) Any arrearage that accrued under a judgment that is terminated**  
10 **as provided in subsection (2) of this section or that is explicitly ter-**  
11 **minated by any other later-issued court judgment is subsumed by the**  
12 **later-issued court judgment and is enforceable in the court case in**  
13 **which the later-issued court judgment was entered.**

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