

SB 812 A STAFF MEASURE SUMMARY

Carrier: Sen. Manning Jr

**Senate Committee On Judiciary and Ballot Measure 110
Implementation**

Action Date: 04/07/21
Action: Do pass with amendments. (Printed A-Eng.)
Vote: 4-3-0-0
Yeas: 4 - Dembrow, Gelser, Manning Jr, Prozanski
Nays: 3 - Heard, Linthicum, Thatcher
Fiscal: No fiscal impact
Revenue: No revenue impact
Prepared By: Amie Fender-Sosa, Counsel
Meeting Dates: 3/29, 4/7

WHAT THE MEASURE DOES:

Removes requirement that the obligor must have complied with the terms of any previous income withholding exception agreement to be granted an exception to income withholding under ORS 25.378.

ISSUES DISCUSSED:

- Primary way to pay child support is income withholding through the employer
- Exception withholdings are allowed if the receiving parent agrees and the paying parent has no overdue payments
- Currently it's a one strike and you're out system
- After 12 months, measure would allow a paying parent to reapply

EFFECT OF AMENDMENT:

Replaces the measure.

BACKGROUND:

Under ORS 25.378, child support payments are made by withholding income through the employer. However, if a court or administrator finds good cause and certain requirements are met, an exception may be granted. One of those requirements is that the obligor has complied with the terms of any previous exception order.

Senate Bill 812 A removes the requirement that the obligor must have complied with the terms of any previous income withholding exception agreement to be granted an exception to income withholding under ORS 25.378.