

SB 186 STAFF MEASURE SUMMARY

Senate Committee On Human Services

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Meeting Dates: 3/6, 3/8

WHAT THE MEASURE DOES:

Requires the Department of Justice to disburse all assigned child support that is collected within the month. Directs Department of Human Services to disregard all child support that is passed through to the family in determining the eligibility for and amount of aid by the temporary assistance of needy families program. Prescribes effective date.

ISSUES DISCUSSED:

- History of child support program and current national and state needs
- Changes in federal assistance programs and their impacts on pass-through payments
- Management of Temporary Assistance for Needy Families (TANF) and Child Support Program in Oregon

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The [Oregon Child Support Program](#) is a state-run federal program that provides full child support services to anyone who requests them, regardless of income. The Oregon Child Support Program is administered by the Oregon Department of Justice Division of Child Support (DCS). In 19 counties, district attorney offices assist with managing some of the cases. Child support services are available to both parents. Relatives or other caretakers who have physical custody of a child are also entitled to child support services. The [child support guidelines](#) are the basis for establishing child support obligations for Oregon's families and children. If a child receives Temporary Assistance for Needy Families (TANF) or Medicaid (including the Oregon Health Plan) in Oregon, DCS must provide [child support services](#). DCS also provides services when a child is in the care or custody of the Department of Human Services (DHS). A family receiving TANF must assign to the state the right to receive current child support during the period receiving TANF and if arrears (past-due payments) accrue during the period of assistance, those are state-owned arrears (ORS 412.024). Out of the child support that the state collects, it can keep an amount equal to the amount of TANF that it pays the family ([Legal Aid Services of Oregon and Oregon Law Center bulletin](#)). If a parent receiving TANF whose child support doesn't make them ineligible for those benefits, the state will keep the child support received by DCS each month, except that the parent will receive \$50 for each child, up to a maximum of \$200 per month. The amount the parent receives can't be more than the current support collected that month. On arrearages, DCS can keep an amount equal to the total amount of assistance that has been paid to the family of the person to whom the child support must be paid ([42 USC 657](#)). This includes assistance paid for children the person who must pay child support is not legally responsible to support. After the family goes off TANF, the family can opt to have DCS stop enforcing the child support owed to the family. If the family never received TANF, then all current support and collected money owed go to the family (OAR 137-055-6021).

Senate Bill 186 would pass all current child support collections to families who are receiving TANF when support is collected in the month that its due and require DHS to disregard child support as income for purposes of determining if a family is eligible to receive TANF.