



# Oregon Department of Justice

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## Division of Child Support

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### **TESTIMONY ON SB 163 For the Senate Committee on Judiciary March 31, 2025**

#### **Presented by:**

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#### **This testimony is presented in support of Senate Bill 163, with the -1 amendments.**

The -1 amendments to Senate Bill 163 formally adopt the majority of the provisions from the 2017 Uniform Parentage Act (UPA) and incorporates them into the Oregon Revised Statutes. The legislation seeks to modernize language and processes regarding parentage, making it easier for Oregon families to be properly recognized. In turn, this will expand opportunities for the Oregon Child Support Program to provide services to many of these families. Not only does the establishment of parentage provide the legal basis for the program to establish a support order, it also protects a child's rights to other benefits, such as Social Security or Veterans benefits, and provides a sense of identity.

The creation of the -1 amendments to SB 163 was a multi-year, collaborative, statewide effort led by a workgroup that included a wide range of subject matter experts. The Oregon Child Support Program had the privilege to be part of the effort from the beginning. With a seat at the table, we were able to use our unique perspective to offer insights and propose adjustments to help mitigate the potential for unintended consequences while ensuring the continuation and expansion of services we provide to Oregon families. This legislation represents a thoughtful, thorough, and shared effort to improve family law in Oregon.

One significant change introduced by the -1 amendments to SB 163 is a simplified process for families to disestablish a presumed parent and establish a genetic parent using a voluntary acknowledgment form. This update will streamline complex parentage cases that presently are addressed only through the courts and will allow the Oregon Child Support Program to provide more timely and efficient services to families. The legislation does introduce a time limitation on

the rebuttal of presumed parentage, however, specifying the presumption cannot be challenged after a child turns four, unless the court determines the presumed parent is not a genetic parent, never resided with the child, and has not treated the child as their own. Currently, there is no time limit for when the presumption can be contested for a minor. This change may limit situations the program can assist parents. While the presumption is rebuttable after four years if there is fraud, duress, or material mistake of fact, that is unlikely in the context of presumed parentage, which is based only on the fact that a birth parent was married.

Eight states have already enacted the 2017 version of the UPA, with an additional four states set to introduce it in 2025. Child support programs in these states have been an important part of enactment. National child support organizations, such as the National Child Support Engagement Association (NCSEA)—which had an observer as part of the Uniform Law Commission’s development of the UPA—have voiced their support of the Act. With the framework provided by the UPA, SB 163 with the -1 amendments will align Oregon’s parentage laws with those of neighboring states, California and Washington. This alignment will create a more consistent approach and enhance the ability of the Oregon Child Support Program to serve families across shared borders.

### **Key Points of This Legislation That Affect Child Support**

- Modernizes language to allow the Oregon Child Support Program to provide services to all families, removing outdated terminology and using more gender-neutral language, where appropriate.
- Provides for the creation of a three-party voluntary acknowledgment under ORS 432.098 that will permit the voluntary disestablishment of a presumed parent and establishment of an intended or genetic parent. This important improvement will provide a simple, efficient way to address situations where parties agree the presumed parent is not the parent and the person who gave birth and the alleged genetic or intended parent can establish parentage.
- Imposes a four-year time limit for rebutting the presumption of parentage except in limited circumstances. Currently there is no time limit.

### **Recommended Action**

The Oregon Child Support Program recommends adoption of the -1 amendments (or its successor amendment) and committee approval of Senate Bill 163 as amended to continue and expand our dedication to establishing paternity, providing services for all families, and fulfilling our mission to support parents to support children.