

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass the A-Engrossed Measure

Vote: 3 - 0 - 2

Yeas: Beyer, Prozanski, Burdick

Nays: 0

Exc.: Kruse, Walker

Prepared By: Bill Taylor, Counsel

Meeting Dates: 5/14

WHAT THE MEASURE DOES: Clarifies that the Department of Justice, Child Support Program, has the same statutory authority that other state agencies have to contract with other financial institutions to pay garnishment search fees on a periodic basis instead of paying each time a garnishment is delivered to the financial institution. Establishes that a child support judgment is terminated upon the effective date of a later-issued child support judgment rather than when the judgment was entered. Requires that withholding from income in a child support matter begins no later than first pay period occurring five days after the date of the order to withhold. Allows the employer to start withholding no later than the second pay period occurring after the date of the order to withhold if, on the date the employer received the order, the employer had already calculated the payroll period and had prepared the paycheck or submitted a deposit for the payroll.

ISSUES DISCUSSED:

- Garnishments
- Wage withholding

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: The Oregon Department of Justice, Child Support Program, is responsible for administering Oregon's child support program. This program collects child support from non-custodial parents, who often are very unwilling to support their children. Either through an administrative process or through the judicial process, the support a non-custodial parent owes is determined and then collected. The federal government funds support of dependent children through welfare assistance. The states administer these programs. In turn, the federal government requires the states to comply with certain standards and requirements concerning the collection of child support.

The federal government requires that income withholding commence at the first pay period rather than five days after the first payday unless the withholder receives the order to withhold less than five days before the first payday.