

A-Engrossed
House Bill 2553

Ordered by the House May 8
Including House Amendments dated May 8

Sponsored by Representative KRUMMEL

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Limits circumstances under which parent may be required to pay support for child in custody of state.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to child support; creating new provisions; amending ORS 109.015 and 416.400; and pre-
3 scribing an effective date.

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

5 **SECTION 1.** ORS 416.400 is amended to read:

6 416.400. As used in ORS 416.400 to 416.465, unless the context requires otherwise:

7 (1) "Administrator" has the meaning given that term in ORS 25.010.

8 (2) "Court" means any circuit court of this state and any court in another state having juris-
9 diction to determine the liability of persons for the support of another person.

10 (3) "Court order" means any judgment or order of any Oregon court that orders payment of a
11 set or determinable amount of support money by the subject parent and does not include an order
12 or judgment in any proceeding in which the court did not order support.

13 (4) "Department" means the Department of Justice of this state or its equivalent in any other
14 state from which a written request for establishment or enforcement of a support obligation is re-
15 ceived under ORS 416.415.

16 (5) "Dependent child" means any person under the age of 18 who is not otherwise emancipated,
17 self-supporting, married or a member of the Armed Forces of the United States. "Dependent child"
18 also means a child attending school as defined in ORS 107.108.

19 (6) "Office" means the office of the Division of Child Support or the office of the district attor-
20 ney.

21 (7) "Parent" means the natural or adoptive father or mother of a dependent child or youth
22 offender. "Parent" also means stepparent when the person has an obligation to support a dependent
23 child under ORS 108.045.

24 (8) "Past support" means the amount of child support that could have been ordered and accu-
25 mulated as arrears against a parent for the benefit of a child for any period of time during which
26 the child was not supported by the parent and for which period no support order was in effect.

27 (9) "Public assistance" means any money payments made by the state that are paid to or for the
28 benefit of any dependent child or youth offender, including but not limited to payments made so that

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 food, shelter, medical care, clothing, transportation or other necessary goods, services or items may
2 be provided, and payments made in compensation for the provision of the necessities. **“Public as-
3 sistance” does not include money payments made by the state to or for the benefit of a de-
4 pendent child as the result of the child’s removal from the parent’s home against the wishes
5 of the parent, if the Department of Human Services determines after completion of a child
6 protective services assessment that the report of abuse is unfounded according to rules
7 adopted by the Department of Human Services.**

8 (10) “Youth offender” has the meaning given that term in ORS 419A.004.

9 **SECTION 2.** ORS 109.015 is amended to read:

10 109.015. If public assistance, **as defined in ORS 416.400**, is provided for any dependent child,
11 the administrator, as defined in ORS 25.010, may initiate proceedings under ORS chapter 18, 107,
12 108, 109, 110 or 125 or ORS 25.010 to 25.243, 25.378, 25.402, 416.400 to 416.465, 419B.400 or 419C.590
13 to obtain support for the child from one or both parents or from any other person legally responsible
14 for the support of the child, including a guardian or conservator. In any proceeding under any
15 statute cited in this section, the obligee is a party.

16 **SECTION 3.** **The amendments to ORS 109.015 and 416.400 by sections 1 and 2 of this 2007**
17 **Act apply to cases in which a child is taken into protective custody by the Department of**
18 **Human Services on or after the effective date of this 2007 Act.**

19 **SECTION 4.** **This 2007 Act takes effect on the 91st day after the date on which the reg-**
20 **ular session of the Seventy-fourth Legislative Assembly adjourns sine die.**

21