

Joint Committee on Ways and Means

Carrier – House: Rep. Nathanson
Carrier – Senate: Sen. Whitsett

Revenue: Revenue statement issued

Fiscal: Fiscal statement issued

Action: Do Pass as Amended and Be Printed A-Engrossed

Vote: 20 – 0 – 2

House

Yeas: Buckley, D. Edwards, Galizio, Garrard, Gilman, Jenson, Komp, Nathanson, Richardson, Shields

Nays:

Exc: Kotek, G. Smith

Senate

Yeas: Bates, Carter, Girod, Johnson, Monroe, Nelson, Verger, Walker, Whitsett, Winters

Nays:

Exc:

Prepared By: John F. Borden, Legislative Fiscal Office

Meeting Date: May 29, 2009

WHAT THE MEASURE DOES: SB 93 relates to collection of delinquent accounts and is effective on passage. The measure would allow the Oregon Judicial Department (OJD) to enter into an intergovernmental agreement with the federal government to intercept federal tax refunds to offset debt owed to OJD for past-due liquid and delinquent accounts for crime victim restitution payments, compensatory fines, other fines, costs, and assessments.

The revenue and fiscal impact of this measure is dependant upon the passage of federal legislation and an agreement reached between the state and the federal government.

ISSUES DISCUSSED:

- Merits of the bill
- Forest Payments Taskforce
- Federal legislation – still in draft form
- Judicial Collections prorate vs. fiscal impact

EFFECT OF COMMITTEE AMENDMENT: Allows the State Court Administrator to enter into intergovernmental agreement with the U.S. Government for the purpose of reciprocal offsetting of federal tax refunds on liquidated and delinquent accounts and in return that overpayments to the state courts be sent to the federal government to offset federal tax obligations.

BACKGROUND: Oregon Revised Statute (ORS 1.204) establishes a Judicial Department collections and revenue management program including a Judicial Department Collections Account. The purpose of the program and the account is the collection of amounts owned the state that are subject to collection by the Judicial Branch of government. In general, collections are for past-due crime victim restitution payments, compensatory fines, other fines, costs, and assessments. The Department has recently begun intercepting state tax refunds to pay these obligations.

A delinquent account moves through a progressive series of collection efforts as defined by each Circuit Court. In general, these steps include: Circuit Courts late payments notices (up to one year); referral of an account by the Circuit Court to the Department of Revenue (DOR) for collection (up to one year); referral to a private collections firm (up to two years); and finally, a Circuit Court may refer an uncollected item to the Judicial Department's central staff for their attempt at collection.