

House Bill 2278

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Attorney General Hardy Myers for Department of Justice)

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 **as introduced**.

Provides that judgment remedies for child support award portion of judgment expire 50 years after entry of judgment that first established support obligation, instead of 25 years after entry of judgment that first established support obligation.

Applies to all judgments, whether entered before, on or after effective date of Act.

A BILL FOR AN ACT

1
2 Relating to judgment remedies for child support; creating new provisions; and amending ORS 18.180.

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

4 **SECTION 1.** ORS 18.180 is amended to read:

5 18.180. (1) Judgment remedies for a judgment expire upon full satisfaction of the money award
6 portion of the judgment.

7 (2) If a judgment lien arises out of a support award under ORS 18.150 (3) or 18.152 (3), a support
8 arrearage lien attaching to real property under the judgment lien expires upon satisfaction of the
9 unpaid installment that gave rise to the support arrearage lien.

10 (3) Except as provided in ORS 18.180 to 18.192, judgment remedies for a judgment in a civil
11 action expire 10 years after the entry of the judgment.

12 (4) Except as provided in this subsection, judgment remedies for a judgment in a criminal action
13 expire 20 years after the entry of the judgment. Judgment remedies for a judgment in a criminal
14 action that includes a money award for restitution expire 50 years after the entry of the judgment.

15 (5) Except as provided in ORS 18.192, judgment remedies for the child support award portion
16 of a judgment, and any lump sum support award for child support, expire [25] **50** years after the
17 entry of the judgment that first establishes the support obligation.

18 (6)(a) Except as provided by paragraph (b) of this subsection and ORS 18.190, judgment remedies
19 for any unpaid installment under the spousal support award portion of a judgment, including any
20 installment arrearage lien arising under the judgment, expire 25 years after the entry of the judg-
21 ment that first establishes the support obligation, or 10 years after an installment comes due under
22 the judgment and is not paid, whichever is later.

23 (b) The judgment lien for the spousal support award portion of a judgment that is entered on
24 or after January 1, 2004, including any installment arrearage lien arising under the judgment, ex-
25 pires 25 years after the entry of the judgment that first establishes the support obligation unless a
26 certificate of extension is filed under ORS 18.185.

27 (7)(a) If a money award in a judgment under ORS 107.105 (1)(f) provides for a future payment
28 of money, judgment remedies for the portion of the judgment providing for future payment expire
29 10 years after the date on which the future payment becomes due. At any time before the judgment
30 remedies for a money award described in this subsection expire, judgment remedies for the portion

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 of the judgment providing for a future payment may be extended as provided in ORS 18.182.

2 (b) This subsection does not apply to support awards.

3 (8) This section does not apply to justice courts, municipal courts or county courts performing
4 judicial functions.

5 **SECTION 2.** (1) Except as provided in subsection (2) of this section, the amendments to
6 ORS 18.180 by section 1 of this 2009 Act apply to all judgments, whether entered before, on
7 or after the effective date of this 2009 Act.

8 (2) The amendments to ORS 18.180 by section 1 of this 2009 Act do not operate to revive
9 any judgment remedies that expired before the effective date of this 2009 Act under the
10 provisions of ORS 18.180 as in effect immediately before the effective date of this 2009 Act.

11