

Enrolled
Senate Joint Memorial 12

Sponsored by COMMITTEE ON JUDICIARY

To the President of the United States, the Secretary of the Treasury of the United States, and the Senate and the House of Representatives of the United States of America, in Congress assembled:

We, your memorialists, the Seventy-fifth Legislative Assembly of the State of Oregon, in legislative session assembled, respectfully represent as follows:

Whereas there is more than \$1 billion in unpaid restitution, fines, fees and penalties ordered by Oregon state courts; and

Whereas significant amounts of these court-ordered financial obligations are willfully ignored; and

Whereas the United States Treasury Offset Program allows for the federal income tax refund interception of federal and state tax debt, Temporary Assistance to Needy Families (TANF) and non-TANF child support debt and federal agency non-tax debt; and

Whereas providing federal authorization to intercept federal tax refunds to pay overdue state court-ordered financial obligations will increase the enforcement of court orders and, by doing so, increase the collections of court-ordered fines, fees and victim restitution; and

Whereas authorizing these intercepts would not affect the federal budget because the legislation would authorize intercepts on refunds that would otherwise be returned to individuals who owe these obligations; and

Whereas the increased collection of court-ordered fines will benefit victims of crime, first responder public safety training programs, criminal investigations, the General Fund of this state and the cities and counties of Oregon during these extraordinarily challenging economic times; and

Whereas the collection of court-imposed penalties, fines, fees and restitution surcharges through a tax refund offset mechanism will contribute positively to the public trust and confidence in the judicial system; and

Whereas the Governor's Federal Forest Payment Task Force recommended this federal law change to help make up for declining federal payments to Oregon counties; now, therefore,

Be It Resolved by the Legislative Assembly of the State of Oregon:

(1) That the Seventy-fifth Legislative Assembly urges the Congress of the United States to immediately introduce and pass legislation to implement a tax refund intercept program similar to that proposed in the 110th Congress (H.R. 6172 and S. 1287).

(2) A copy of this memorial shall be sent to the President of the United States, to the Secretary of the Treasury of the United States, to the Senate Majority and Minority Leaders, to the Speaker of the House of Representatives, to the House of Representatives Majority and Minority Leaders and to each member of the Oregon Congressional Delegation.

Adopted by Senate April 13, 2009

Secretary of Senate

President of Senate

Adopted by House May 12, 2009

Speaker of House