

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass and Be Placed on the Consent Calendar
Vote:	8 - 0 - 0
Yeas:	Conger, Doherty, Esquivel, Hoyle, Johnson, Matthews, Kennemer, Schaufler
Nays:	0
Exc.:	0
Prepared By:	Theresa Van Winkle, Administrator
Meeting Dates:	4/25, 5/4

WHAT THE MEASURE DOES: Requires counties to notify the Employment Department with the name, date of birth and Social Security number of defendants upon incarceration. Declares an emergency, effective upon passage.

ISSUES DISCUSSED:

- Number of claimants who were denied unemployment insurance benefits due to mistaken identity with an inmate with an identical name
- Estimated amount of overpayments to incarcerated claimants
- Definition of “supervisory authority”
- Whether inmate work program participants are subject to the measure’s provisions

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: ORS 657.155 requires persons collecting unemployment insurance (UI) benefits to be able to work, available for work, and actively seeking suitable work. When a person is jailed for any portion of the work week, they are not eligible to receive benefits.

One of the enforcement tools used by the Employment Department is lists of recently incarcerated individuals at county jails, which in turn is compared with the names of current claimants. The Department receives varying degrees of information from 26 of Oregon’s 36 counties about their inmate population on a daily or weekly basis, provided through access to a public website, or via email or fax. Four counties -Multnomah, Linn, Clackamas, and Benton - supply information that includes a Social Security number, while the other 22 counties provide a name, and sometimes a date of birth. In cases in which a date of birth or Social Security number is not available, the Department bases its matches solely on the inmate’s name. Matching by name only can result in false hits, leading to the suspension of benefits for innocent claimants with identical names.

Senate Bill 782 establishes a uniform set of information that all counties must forward to the Employment Department, consisting of an inmate’s name, date of birth, and Social Security number; and specifies that the information be used for the purpose of determining eligibility for UI benefits.

5/5/2011 4:35:00 PM

This summary has not been adopted or officially endorsed by action of the committee.