

77TH OREGON LEGISLATIVE ASSEMBLY
2013 REGULAR SESSION
STAFF MEASURE SUMMARY
SENATE FINANCE AND REVENUE COMMITTEE

MEASURE: SB 184
CARRIER: Sen. George

REVENUE: No Revenue Impact
FISCAL: Fiscal Impact Issued

Action: Do Pass
Vote: 5-0-0
Yeas: Boquist, George, Hass, Rosenbaum, Burdick
Nays: 0
Exc.: 0

Prepared By: Chris Allanach, Economist
Meeting Dates: 2/18

WHAT THE BILL DOES: Allows statutorily required items, such as a notice of garnishment, to be sent by first class mail or by alternative means if agreed upon by the garnishee. Prohibits a government agency from seeking sanctions against a noncompliant garnishee unless the required items, including the notice of garnishment, are delivered to the garnishee in person or via certified mail. Declares emergency and is effective on passage.

ISSUES DISCUSSED:

- Intent is to reduce administrative costs
- Impact on financial institutions
- Safeguards to ensure receipt of notification

EFFECT OF COMMITTEE AMENDMENTS: No amendment

BACKGROUND: State agencies collecting taxes or other debts may garnish property held by a third party (the garnishee). Currently the only method to provide the required notice of garnishment to the garnishee is by personal service by an employee or agent of the state agency or by certified mail return receipt requested. This bill would allow the garnishee to receive notice by first class mail and would also allow notice by email if the garnishee agrees. Sanctions against a non-complying garnishee may not be pursued unless notice is personally served or delivered by certified mail.