

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action:	Do Pass with Amendments to the A-Engrossed Measure. (Printed B-Engrossed)
Vote:	5 - 0 - 0
Yeas:	Close, Dingfelder, Kruse, Roblan, Prozanski
Nays:	0
Exc.:	0
Prepared By:	Bill Taylor, Counsel
Meeting Dates:	4/3, 4/17

WHAT THE MEASURE DOES: Directs agencies in a contested case hearing to comply with the Service Member's Civil Relief Act by giving notice to parties of the rights of active duty service members and include with the notice a statement of the service member's right to postpone the proceedings. Also requires the agency to include with the statement the right of the service member to contact the Oregon State Bar and the Oregon Military Department with their respective phone numbers and the e-mail address of the United States Armed Forces Legal Assistance Locator website. Permits exhaustion of existing inventories of preprinted forms. Effective September 1, 2013.

ISSUES DISCUSSED:

- Service Member's Civil Relief Act.
- Additional information to service member

EFFECT OF COMMITTEE AMENDMENT: Effective September 1, 2013.

BACKGROUND: The Service Member's Civil Relief Act provides a wide range of protections for individuals on active military duty. It is intended to postpone or suspend certain civil obligations including judicial and administrative proceedings so service members can devote full attention to duty and relieve stress on the family members. Service members may be protected against outstanding credit card debt, mortgage payments, pending trials, taxes, domestic relations matters and even administrative proceedings.

Oregon currently requires agencies to notify parties to a contested case proceeding of certain rights and procedures in advance of a hearing and of their right to a hearing generally (see ORS 183.413 and 183.415, respectively). Senate Bill 125 B adds to these notices, a statement regarding active duty service members' right to stay proceedings pursuant to the Service Member's Civil Relief Act, such as: "Note to Military Personnel: Active duty service members have a right to stay these proceedings under the Service Member's Civil Relief Act. Contact the Oregon State Bar at 1-800-452-8260, the Oregon Military Department at 1-800-452-7500, or the nearest legal assistance office, <http://legalassistance.law.af.mil>."