

**REVENUE:** No revenue impact

**FISCAL:** Minimal fiscal impact, no statement issued

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<b>Action:</b>	Do Pass as Amended and Be Printed Engrossed
<b>Vote:</b>	8 - 0 - 1
<b>Yeas:</b>	Doherty, Johnson, Keny-Guyer, Lively, Richardson, Thatcher, Vega Pederson, Holvey
<b>Nays:</b>	0
<b>Exc.:</b>	Smith
<b>Prepared By:</b>	Bob Estabrook, Administrator
<b>Meeting Dates:</b>	5/7, 5/21, 5/30

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**WHAT THE MEASURE DOES:** Prohibits public agency or public official from allowing person or entity to use seal or letterhead of agency or official in collection of debt, and from receiving fee in exchange for such use. Prohibits district attorney from authorizing debt collector to use seal, letterhead or name of district attorney or district attorney's office pursuant to bad check diversion program. Creates unlawful collection practice of using seal or letterhead of public official or public agency.

**ISSUES DISCUSSED:**

- Bad check diversion program practices
- Relationship between district attorney's contractors and debt collectors under Oregon's unlawful collection practices law
- Effect of proposed amendments

**EFFECT OF COMMITTEE AMENDMENT:** Replaces the measure.

**BACKGROUND:** At least five Oregon district attorneys contract with private entities to operate bad check diversion programs and collect fees and other money owed for the passing of bad checks. Some, but not all, receive a fee from the private collector. Operating under the auspices of a district attorney, collectors have sent notices to individuals accused of passing bad checks that look like official communications from the district attorney's office but only provide contact information for the collection agency.

Senate Bill 525 B prohibits the use of the seal or letterhead of a public agency or public official by private entities collecting debt, including restitution. The measure creates a specific unlawful collection practice of using the seal or letterhead of a public agency or public official and prohibits public agencies and officials from authorizing or receiving fees for such use.