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TESTIMONY ON HOUSE BILL 2911

For the House Committee on Consumer Protection and Government Effectiveness

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Presented by:

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This testimony is presented in support of House Bill 2911, Sections 20-23

How This Bill Changes Current Law

The Oregon Child Support Program establishes paternity, and establishes and enforces child support judgments.

This bill deletes obsolete language from a number of statutes. Of particular importance to the Child Support Program are Sections 20-23, which repeal ORS 18.192. That statute relates to the expiration of child support judgments entered prior to January 1, 1994, and no longer affects any existing judgments. Prior to January 1, 1994, child support judgments expired after 25 years, but could be renewed for one additional 10-year period, making the total period of enforcement 35 years. Beginning January 1, 1994, new child support judgments were enforceable for 25 years and could no longer be renewed. However, there were existing judgments entered before January 1, 1994, that had already been renewed and were enforceable for 35 years. ORS 18.192 was intended to make clear that those judgments could continue to be enforced for 35 years.

In 2010 all new and existing child support judgments became enforceable for 35 years and ORS 18.192 became obsolete. It should have been repealed at that time.

Key Points of Legislation (Sections 20-23)

- Eliminates obsolete and confusing statutory provisions.
- Reduces workload for courts and for the Child Support Program by eliminating a statute that is misinterpreted with some regularity and incorrectly cited as authority for motions.

Fiscal Impact

There is no fiscal impact from Sections 20-23 of this bill.

Fiscal Benefits

This bill would save time and reduce workload for the courts and the Child Support Program.

Recommended Action

The Department of Justice recommends committee approval of House Bill 2911 because it will eliminate obsolete statutory provisions and reduce administrative burden on the courts and the Oregon Child Support Program.