

PRELIMINARY STAFF MEASURE SUMMARY

CARRIER:

Senate Committee on Judiciary

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

SUBSEQUENT REFERRAL TO:

Action:

Vote:

Yeas:

Nays:

Exc.:

Prepared By: Channa Newell, Counsel

Meeting Dates: 4/6

WHAT THE MEASURE DOES: Provides Commissioner of Bureau of Labor and Industries with authority to issue warrant for unpaid amounts due resulting from judgment. Allows 30 days from date amount becomes due prior to issuing warrant. Requires warrant to include principal amount of debt, accumulated interest, and costs associated with recording or serving warrant.

ISSUES DISCUSSED:

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: The Bureau of Labor and Industries (BOLI) is responsible for enforcing compliance with state wage and hour laws and for enforcing Oregon’s civil rights laws. At times, BOLI enforcement may lead to court actions and result in a judgment. A recent survey of BOLI cases showed over \$30,000,000 in unsatisfied judgments from wage and hour violations.

Senate Bill 468 A provides the Commissioner of BOLI with the authority to file a warrant with County Clerk Lien Record. A properly served and noticed warrant acts as a judgment against the debtor, who may then be subject to liens garnishment. In order to issue the warrant, the judgment must be entered, the time for filing of notice of appeal expired, and the warrant must reflect the principal amount of the debt, any added interest, and any other costs.