

PRELIMINARY STAFF MEASURE SUMMARY

CARRIER:

Senate Committee on Judiciary

REVENUE: No revenue impact

FISCAL: No fiscal impact

SUBSEQUENT REFERRAL TO:

Action:

Vote:

Yeas:

Nays:

Exc.:

Prepared By: Channa Newell, Counsel

Meeting Dates: 4/28

WHAT THE MEASURE DOES: Provides that collection of child support may be suspended upon change in custody if collection would impair ability of obligor with physical custody of children to provide support. Adds grounds for objection on factual basis of suspension. Removes requirement that obligee not object to suspension of enforcement prior to terminating enforcement. Makes clarifying changes.

ISSUES DISCUSSED:

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Oregon Revised Statute Chapter 25 outlines the enforcement authority for child support obligations. If termination of a support order is terminating due to a change in custody of a child, such as residing solely with one parent, the Department of Justice may suspend enforcement of the support order if collection of support would cause an imbalance and the obligee does not object to the suspension. The obligee has 14 days in which to object, and can only object based on the physical custody of the children or the creation of credit imbalances.

House Bill 3156 A allows for the suspension of enforcement when continued enforcement would impair the ability of the obligor to supply support to the children. The obligee still retain the right to object to the suspension. The measure also makes further clarifying language changes.

House: 59-0-1