

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: Specifies that when debt is created by presentation of dishonored check on behalf of obligor, the amount of money specified on the check is owed by all. Further clarifies that the state may collect in any circumstance from the obligor, but only from the withholder or other issuer if that party presented the check.

ISSUES DISCUSSED:

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Oregon Revised Statute Chapter 25 outlines the support enforcement authority of the state. When an obligor owes child support, the obligor may give the Department of Justice a check, which the Department then transmits to the obligee. If that check is dishonored, a debt is created. The Department must attempt to recover the debt if it is cost-effective to do so and must notify the obligor of the amount owed.

House Bill 3159 A specifies that if a third-party presents the check to the Department, on behalf of the obligor, and the check is dishonored, then the Department is entitled to collect from the person who presented the check.

House: 57-1-1-1