

Fiscal: No Fiscal Impact

Revenue: No Revenue Impact

Action Date: 04/02/15

Action: Do Pass As Amended And Be Printed Engrossed.

Meeting Dates: 03/16, 04/02

Vote:

Yeas: 8 - Barker, Barton, Greenlick, Krieger, Lininger, Olson, Post, Williamson

Exc: 1 - Sprenger

Prepared By: Channa Newell, Counsel

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:

- Intent of statute is to allow suspended enforcement of child support when custody of child changes
- Not for custody arrangements within parenting plan
- Intent is for more permanent custody rearrangements
- Effects of measure

EFFECT OF COMMITTEE AMENDMENT:

Restores requirement that collection of support would result in credit balance. Includes provisions 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.

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 retains the right to object to the suspension. The measure also makes further clarifying language changes.