

STAFF MEASURE SUMMARY

House Committee On Judiciary

Fiscal: Has minimal fiscal impact

Revenue: Has minimal revenue impact

Action Date: 04/14/15

Action: Do Pass As Amended, Be Printed Engrossed, And Rescind Subsequent Referral To Ways And Means.

Meeting Dates: 04/07, 04/14

Vote:

Yeas: 9 - Barker, Barton, Greenlick, Krieger, Lininger, Olson, Post, Sprenger, Williamson

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WHAT THE MEASURE DOES:

Updates and provides additional clarification to adoption laws. Requires circuit court to collect filing fee of \$255 in adoption cases under ORS chapter 109 in certain instances. Removes \$1 fee for issuance of certificates of adoption. Includes in \$255 filing fee the cost of issuing one or more certificates of adoption under ORS 109.410. Provides fee exceptions when Department of Human Services consented to adoption. Contains non-substantive scrivener's changes.

ISSUES DISCUSSED:

- 37-member work group
- Shifts in adoption law over time
- Proposed -2 amendments
- Problems with \$1 fee and examples
- Benefits of consolidated fees, including simplification and streamlining of process
- Fiscal impact not expected
- Possibility of removing subsequent referral to the Joint Committee on Ways and Means
- Removal of emergency clause

EFFECT OF COMMITTEE AMENDMENT:

Replaces measure.

BACKGROUND:

In 2010, the Oregon Judicial Department requested the Oregon Law Commission to review adoption law, specifically the issue of access to the court's adoption files. In 2012, the Adoption Work Group (Work Group) formed to address this issue along with other substantive matters. In 2013, Senate Bill 623 passed as a result of the Work Group's efforts. Then in 2014, House Bill 1536 passed, which provided additional clarity on the work done via Senate Bill 623.

House Bill 2366-A is the result of the Work Group and provides additional clarification to work done during previous sessions. The bill updates adoption laws with non-substantive scrivener's changes. It additionally requires circuit courts to collect a filing fee of \$255 in adoption cases under ORS chapter 109 when a petition is filed for the purpose of commencing adoption proceedings or when any other document or other first appearance is filed in a proceeding. House Bill 2366-A removes the \$1 fee for issuance of certificates of adoption. It includes the cost of issuing one or more certificates of adoption under ORS 109.410 in the \$255 filing fee. House Bill 2366-A additionally provides fee exceptions when the Department of Human Services consented to an adoption.