

STAFF MEASURE SUMMARY

CARRIER: Sen. Kruse

Senate Committee On Judiciary

Fiscal: Has minimal fiscal impact

Revenue: Has minimal revenue impact

Action Date: 06/03/15

Action: Do Pass With Amendments To The A-Eng Bill. (Printed B-Eng.)

Meeting Dates: 05/05, 05/28, 06/03

Vote:

Yeas: 5 - Burdick, Gelser, Kruse, Prozanski, Thatcher

Prepared By: Laura Handzel, Administrator

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 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:

- History of Senate Bill 623 (2013)
- 37-member work group
- Provisions of measure

EFFECT OF COMMITTEE AMENDMENT:

Resolves a conflict with HB 2365-A, and also corrects minor drafting error.

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) was established to address this issue along with other substantive matters. In 2013, Senate Bill 623 passed as a result of the Work Group's efforts. In 2014, House Bill 1536 passed, providing additional clarity to provisions of Senate Bill 623.

House Bill 2366-B contains recommendations from the Work Group and provides additional clarification to related legislation from previous sessions. The bill updates adoption laws with non-substantive scrivener's changes. Additionally, it 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-B 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-B also provides fee exceptions when the Department of Human Services consents to an adoption.