

**PROPOSED AMENDMENTS TO  
A-ENGROSSED SENATE BILL 55**

1 On page 1 of the printed A-engrossed bill, line 2, after “ORS” insert  
2 “1.195.”.

3 On page 2, line 11, before “delinquent” insert “liquidated and”.

4 Delete lines 19 through 45.

5 On page 3, delete lines 1 through 7 and insert:

6 “(6) Rules adopted under subsection (2) of this section do not apply to  
7 state courts and commissions, departments and divisions in the judicial  
8 branch of state government, the Secretary of State or the State Treasurer.

9 “(7) Except as provided in subsection (6) of this section, as used in this  
10 section, ‘state agency’ means any state officer, board, commission, corpora-  
11 tion, institution, department or other state organization.

12 **“SECTION 2.** ORS 293.229 is amended to read:

13 “293.229. (1) Not later than October 1 of each fiscal year, each state  
14 agency shall submit a report to the Legislative Fiscal Office that describes  
15 the status of that agency’s liquidated and delinquent accounts and efforts  
16 made by that agency to collect liquidated and delinquent accounts during the  
17 previous fiscal year. The report required under this subsection shall be in a  
18 form prescribed by the Legislative Fiscal Office and shall include but not  
19 be limited to:

20 “(a) Beginning balance and total number of all liquidated and delinquent  
21 accounts;

22 “(b) New liquidated and delinquent accounts added during the last pre-

1 ceding fiscal year;

2 “(c) Total collections of liquidated and delinquent accounts;

3 “(d) Total amount and total number of liquidated and delinquent accounts  
4 that have been written off;

5 “(e) Total number and ending balance of all liquidated and delinquent  
6 accounts;

7 “(f) Total amount of liquidated and delinquent accounts turned over to  
8 private collection agencies and total amount collected by those agencies un-  
9 der ORS 293.231; [*and*]

10 “(g) Total number and total amount of all liquidated and delinquent ac-  
11 counts exempted under ORS 293.233; **and**

12 **“(h) A statement indicating whether the agency has liquidated and**  
13 **delinquent accounts that are not exempt under ORS 293.233, or are**  
14 **otherwise prohibited or exempted by law from assignment, for which**  
15 **no payment has been received for more than 90 days and that have**  
16 **not been assigned to a private collection agency or to the Department**  
17 **of Revenue under ORS 293.231.**

18 “(2) The Legislative Fiscal Office shall produce an annual report not later  
19 than December 31 of each fiscal year on the status of liquidated and delin-  
20 quent accounts of state agencies **and the judicial branch of state gov-**  
21 **ernment.** The report shall be based on the reports submitted by state  
22 agencies as required in this section **and on reports submitted by the ju-**  
23 **dicial branch of state government under ORS 1.195.**

24 **“(3) The report required under subsection (2) of this section shall:**

25 **“(a) List those state agencies, including the judicial branch of state**  
26 **government, that have liquidated and delinquent accounts that are not**  
27 **exempt under ORS 1.198, 1.199 or 293.233, or are otherwise prohibited**  
28 **or exempted by law from assignment, for which no payment has been**  
29 **received for more than 90 days and that have not been assigned to a**  
30 **private collection agency or to the Department of Revenue under ORS**

1 **1.197 or 293.231;**

2 **“(b) List separately information about the liquidated and delinquent**  
3 **accounts of the Secretary of State, the State Treasurer, other state**  
4 **agencies in the executive branch of state government and the judicial**  
5 **branch of state government; and**

6 **“(c) Include any other information the Legislative Fiscal Office de-**  
7 **termines is necessary to describe the status of liquidated and delin-**  
8 **quent accounts across offices and branches of state government.**

9 **“(4) Notwithstanding ORS 182.460, 284.118, 284.375, 352.138, 353.100,**  
10 **377.836, 421.352, 656.753 and 757.552, for purposes of this section, ‘state**  
11 **agency’ also includes semi-independent state agencies listed in ORS**  
12 **182.454, the Oregon Tourism Commission, the Oregon Film and Video**  
13 **Office, the Travel Information Council, the Children’s Trust Fund of**  
14 **Oregon Foundation, Oregon Corrections Enterprises, Oregon Health**  
15 **and Science University, the State Accident Insurance Fund Corpo-**  
16 **ration, the Oregon Utility Notification Center and public universities**  
17 **listed in ORS 352.002.**

18 **“SECTION 2a.** ORS 1.195 is amended to read:

19 **“1.195. (1) Not later than October 1 of each fiscal year, all state courts**  
20 **and all commissions, departments and divisions in the judicial branch of**  
21 **state government shall submit reports to the Legislative Fiscal Office that**  
22 **describe the status of the liquidated and delinquent accounts of the judicial**  
23 **branch of state government, and the efforts made to collect those liquidated**  
24 **and delinquent accounts during the immediately preceding fiscal year. The**  
25 **reports required under this subsection shall be in a form prescribed by the**  
26 **Legislative Fiscal Office and shall include but not be limited to:**

27 **“(a) The total number of all liquidated and delinquent accounts, and the**  
28 **balance for those accounts, at the beginning of the fiscal year;**

29 **“(b) The total number of all liquidated and delinquent accounts, and the**  
30 **balance for those accounts, at the end of the fiscal year;**

1 “(c) The liquidated and delinquent accounts that have been added during  
2 the immediately preceding fiscal year;

3 “(d) The total amount collected on liquidated and delinquent accounts  
4 during the immediately preceding fiscal year;

5 “(e) The total amount and total number of liquidated and delinquent ac-  
6 counts that have been written off during the immediately preceding fiscal  
7 year;

8 “(f) The total amount and total number of liquidated and delinquent ac-  
9 counts that have been assigned for collection, and the collection efforts made  
10 for those accounts, during the immediately preceding fiscal year;

11 “(g) The total amount and total number of liquidated and delinquent ac-  
12 counts that have been turned over to private collection agencies under ORS  
13 1.197 and the total amount that has been collected by those agencies during  
14 the immediately preceding fiscal year;

15 “(h) The total amount and total number of accounts that have ceased to  
16 be liquidated and delinquent during the fiscal year for reasons other than  
17 having been collected or written off;

18 “(i) The total number and total amount of all liquidated and delinquent  
19 accounts that have been exempted under ORS 1.199; *[and]*

20 “(j) **A statement indicating whether the reporting state court,**  
21 **commission, department or division in the judicial branch of state**  
22 **government has liquidated and delinquent accounts that are not ex-**  
23 **empt under ORS 1.198 or 1.199, or are otherwise prohibited or exempted**  
24 **by law from assignment, for which no payment has been received for**  
25 **more than 90 days and that have not been assigned to a private col-**  
26 **lection agency or to the Department of Revenue under ORS 1.197; and**

27 “[*j*] (k) Any other information necessary to inform the Legislative Fiscal  
28 Office of the status of the liquidated and delinquent accounts of the judicial  
29 branch of state government.

30 “(2) The Legislative Fiscal Office shall *[produce an annual report, not*

1 *later than December 31 of each fiscal year,]* **include information** on the  
2 status of the liquidated and delinquent accounts of the judicial branch of  
3 state government **in the annual report required under ORS 293.229**. The  
4 [*annual report*] **information** shall be based on the reports submitted under  
5 subsection (1) of this section.

6 “(3) The reports required under subsection (1) of this section may be made  
7 by the State Court Administrator on behalf of some or all of the state courts  
8 and on behalf of some or all of the commissions, departments and divisions  
9 in the judicial branch of state government.”.

10 On page 5, line 2, after the period delete the rest of the line and lines 3  
11 through 5 and insert “The criteria must be approved by:

12 “(A) The Attorney General in the case of the Secretary of State and State  
13 Treasurer;

14 “(B) The Chief Justice in the case of all state courts and all commissions,  
15 departments and divisions in the judicial branch of state government; or

16 “(C) The Oregon Department of Administrative Services and the Attorney  
17 General in the case of other state agencies.”.

18 On page 6, delete lines 34 through 38 and insert:

19 “(6) As used in this section, ‘state agency’ means any state officer, board,  
20 commission, corporation, institution, department or other state organization.

21 **“SECTION 6.** (1) The Oregon Department of Administrative Services  
22 shall monitor state agency debt collection functions described by law and  
23 assist state agencies in efforts to improve the collection of delinquent debts  
24 owed to state agencies. The department’s duties under this subsection in-  
25 clude, but are not limited to:

26 “(a) Providing training to state agencies regarding processing and man-  
27 aging accounts receivable in compliance with applicable law and state poli-  
28 cies.

29 “(b) Providing technical assistance to state agencies in resolving chal-  
30 lenges in processing and managing accounts receivable and developing fi-

1 nancial administrative systems to improve the handling of liquidated and  
2 delinquent accounts.

3 “(c) Developing performance standards for state debt collection, including  
4 but not limited to standards defining what constitutes liquidated and delin-  
5 quent accounts and when state agencies may write off debt pursuant to ORS  
6 293.240.

7 “(d) Working with state agencies to improve the quality and value of data  
8 that each state agency submits to the Legislative Fiscal Office for purposes  
9 of ORS 293.229.

10 “(e) Submitting an annual management report to the Legislative Assembly  
11 not later than December 31 of each fiscal year, in conjunction with the re-  
12 port of the Legislative Fiscal Office produced under ORS 293.229, that iden-  
13 tifies important issues and significant trends in state agency debt collection  
14 practices and describes and evaluates efforts by state agencies to improve the  
15 collection of delinquent debt.

16 “(2) The department shall adopt policies.”.

17 On page 7, delete lines 17 through 22.

18 In line 30, before “delinquent” insert “liquidated and”.

19 Delete lines 40 through 43 and insert:

20 “(3) Rules adopted under subsection (2) of this section do not apply to the  
21 Secretary of State or the State Treasurer.

22 “(4) Except as provided in subsection (3) of this section, as used in this  
23 section, ‘state agency’ means any state officer, board, commission, corpo-  
24 ration, institution, department or other state organization.”.

25 On page 9, line 38, after “ORS” insert “1.195,”.

26 On page 10, line 1, after “ORS” insert “1.195,”.

27 After line 2, insert:

28 **“SECTION 13. Notwithstanding any other law limiting expenditures,**  
29 **the amount of \$660,474 is established for the biennium beginning July**  
30 **1, 2015, as the maximum limit for payment of expenses by the Oregon**

1 **Department of Administrative Services from the Delinquent Accounts**  
2 **Administration Fund established by section 9 of this 2015 Act for pur-**  
3 **poses of administering sections 1 and 6 to 8 of this 2015 Act.”.**

4 In line 3, delete “13” and insert “14”.

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