

SB 899 -1 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

Prepared By: Channa Newell, Counsel

Sub-Referral To: Senate Committee On General Government and Accountability

Meeting Dates: 3/16, 3/23

WHAT THE MEASURE DOES:

Establishes Task Force on Receivership.

ISSUES DISCUSSED:

- Over 250 references to receivership in Oregon Revised Statutes but no consistency in administration
- Use of Uniform Code and Washington statutes to provide framework
- Goal to provide guidance on process for receivership, not a change in basis for obtaining receivership
- Excludes Department of Consumer and Business Services Insurance Division from provisions of measure

EFFECT OF AMENDMENT:

-1 Replaces measure. Creates Oregon Receivership Code.

BACKGROUND:

Receivership is the process whereby a court appoints an entity to take charge of the property of a company or entity during an action. The court may order the receiver to hold and manage the property or to dispose of the property. Currently, Oregon law defines receivership in the Oregon Rules of Civil Procedure, Rule 80, and allows for appointment of receivers when a corporate entity is dissolving or in cases of securities violations.

Senate Bill 899 establishes the Task Force on Receivership.