

SB 510 -3 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

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Meeting Dates: 4/10, 4/18

WHAT THE MEASURE DOES:

Expands definition of "account" for purposes of support enforcement to include a claim for insurance benefits or payments made by a claimant. Adds definition of "claimant" to mean an obligor who has made a claim for an insurance benefit or payments under a policy. Modifies definition of "financial records" to also cover original written or electronic document or copy held by a financial institution when the document pertains to a claimant of the financial institution. Allows Department of Justice to adopt rules to implement automated data exchanges performed by data match system.

ISSUES DISCUSSED:

- How the insurance match process works
- What other states have implemented similar procedures
- Need for further amendment

EFFECT OF AMENDMENT:

-3 Defines "claimant" as person asserting claim of at least \$500, not including property damage. Requires financial institution to notify administrator in writing at least ten days prior to disbursing funds to obligor.

No revenue impact

May have fiscal impact, but no statement yet issued

BACKGROUND:

For purposes of collecting support from delinquent obligors, the Oregon Department of Justice accesses insurance company data for delinquent debtors who are receiving payments for an injury or loss, which can then be garnished. While most major insurance companies voluntarily provide such data through the federal Office of Child Support Enforcement, some do not, reportedly because definitions within current statute may be unclear. Senate Bill 510 expands the definition of "account" to include pending claims. The definition of "claimant" is also broadened to include individuals who, while not the primary policyholder, may still be entitled to receive payments or benefits from an injury or loss.