

**SB 510 A -A4 STAFF MEASURE SUMMARY**

**House Committee On Judiciary**

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**Prepared By:** Whitney Perez, Counsel

**Meeting Dates:** 5/23

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**WHAT THE MEASURE DOES:**

Expands definition of "account" for purposes of support enforcement to include a claim for insurance benefits or payments of at least \$500 made by a claimant. Adds definition of "claimant" to mean an obligor who is asserting claim of at least \$500, not including claim for property damage, under liability or uninsured motorist insurance policy by insurer authorized to do business in Oregon. Excludes claims for property damage in these definitions. Modifies definition of "financial records" to include original written or electronic document or copy held by a financial institution when the document pertains to claimant of the financial institution. Allows Oregon Department of Justice to adopt rules to implement automated data exchanges performed by data match system. Requires financial institution to notify administrator in writing at least ten days prior to disbursing funds to obligor.

**ISSUES DISCUSSED:**

**EFFECT OF AMENDMENT:**

-A4 Requires notice to administrator at least three before financial institution disburses payment to obligor pursuant to claim, if no previous notification given.

**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's Financial Institution Data Match program, some do not, reportedly because definitions within current statute may be unclear. Senate Bill 510-A expands the definition of "account" to include pending claims of at least \$500, not including a claim for property damage, under a liability or uninsured motorist insurance policy authorized to do business in Oregon. SB 510-A also requires a financial institution that has a claim for insurance benefits or payments notify the administrator at least 10 days prior to disbursing payment to the obligor.