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TESTIMONY ON SENATE BILL 514 For the Senate Judiciary Committee February 22, 2017

Submitted by:

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This testimony is submitted in support of Senate Bill 514, with the -1 amendments.

How This Bill Changes Current Law

Senate Bill 514 removes statutory mandates in Chapter 25 to send obligees copies of four types of enforcement notices: notice of income withholding orders under ORS 25.399; notice of intent to refer arrears for state tax refund offsets under ORS 25.610; notice of intent to report a child support account to consumer reporting agencies under ORS 25.650; and notice of claim of lien under ORS 265.670.

The -1 amendments would remove sections 1 and 2 of the bill, which currently provide rulemaking authority to override other statutory mandates for notices to obligees. The notices addressed by Senate Bill 514 are courtesy copies of enforcement notices that are directed to obligors, which often do not result in collections. The mandates targeted for removal concern notices that create an unrealistic expectation of payment, require extensive redacting of obligors' personal information, and cause confusion when received by the obligee.

Key Points of Legislation

- Amends ORS 25.399 by removing "obligee" from those identified as receiving copies of income withholding orders.
- Amends ORS 25.610 by making optional advance written notice to the obligee of the intent to refer an account to the Department of Revenue for state income tax refund offset.
- Amends ORS 25.650 by replacing "parties" with "obligor" and removing "obligee" from those identified as receiving copies of notice of intent to report a child support account to

consumer reporting agencies.

- Amends ORS 25.670 by removing the requirement to also send the obligee a copy of the notice of a recorded claim of lien against obligor's property.

Fiscal Impact

None identified.

Fiscal Benefits

Not sending courtesy copies of these enforcement notices could produce slight savings to the Oregon Child Support Program in postage, print production, and staff time responding to confused or frustrated obligees.

Recommended Action

The Oregon Department of Justice recommends adoption of the -1 amendments and committee approval of Senate Bill 514 as amended because of significant potential to reduce postage, print production, and staff time, as well as improvement in customer relations.