

A-Engrossed
Senate Bill 513

Ordered by the Senate March 1
Including Senate Amendments dated March 1

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SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Removes requirement that child support administrator provide 10 days prior notice to obligor or obligee that consumer report for obligor or obligee will be requested by administrator.

Specifies purposes for which administrator may request that consumer reporting agency provide consumer report.

A BILL FOR AN ACT

1
2 Relating to consumer reports requested by administrators in support proceedings; amending ORS
3 25.650.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 25.650 is amended to read:

6 25.650. (1) As used in this section, "consumer reporting agency" means any person that, for
7 monetary fees or dues or on a cooperative nonprofit basis, regularly engages in whole or in part in
8 the practice of assembling or evaluating consumer credit information or other information on con-
9 sumers for the purpose of furnishing consumer reports to third parties, and that uses any means or
10 facility of interstate commerce for the purpose of preparing or furnishing consumer reports.

11 (2)(a) Notwithstanding any other law, and subject to rules established by the Department of
12 Justice, for cases in which there is past due support, the department shall:

13 (A) Report periodically to consumer reporting agencies the name of any obligor who is delin-
14 quent in the payment of support and the amount owed by the obligor; and

15 (B) Otherwise make available to a consumer reporting agency upon its request information re-
16 garding the amount of past due support owed by an obligor.

17 (b) The department shall provide advance notice to both the obligor and the obligee concerning
18 the proposed reporting of information to the consumer reporting agencies. The notice must inform
19 both parties:

20 (A) Of the amount of the past due support the department will report to the consumer reporting
21 agencies;

22 (B) That the department will continue to report the past due support amount owed without
23 sending additional notice to the parties;

24 (C) Of the obligor's right to request an administrative review within 30 days after the date of
25 the notice; and

26 (D) Of the issues that may be considered on review.

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 (c) If an obligor requests an administrative review, the department may not report the past due
2 support amount until the review is complete.

3 (d) A party may appeal a decision from the administrative review under ORS 183.484. An appeal
4 of the decision does not stay the department from making reports to consumer reporting agencies.

5 *[(3)(a) If paternity has been established and a consumer report is needed for the purpose of estab-*
6 *lishing or modifying a child support order, the administrator may request that a consumer reporting*
7 *agency provide a report.]*

8 *[(b) At least 10 days prior to making a request under paragraph (a) of this subsection, the admin-*
9 *istrator shall notify the obligor or obligee whose report is requested, by certified or registered mail, that*
10 *the report will be requested.]*

11 **(3) The administrator may request that a consumer reporting agency provide a consumer**
12 **report when needed for one or more of the following purposes:**

13 **(a) To establish or modify a support order.**

14 **(b) When parentage has been established with respect to an individual, to establish the**
15 **individual's capacity to make child support payments or the appropriate amount of child**
16 **support that may be ordered.**

17 **(c) To enforce a support order.**

18 (4) The department shall report information under subsection (2) of this section only to a person
19 that has furnished evidence satisfactory to the department that the person is a consumer reporting
20 agency.

21 (5) When the department has made a report to a consumer reporting agency under subsection
22 (2) of this section, the department shall promptly notify the consumer reporting agency when the
23 department's records show that the obligor no longer owes past due support.

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