

SB 89-2
(LC 775)
3/2/17 (DFY/ps)

Requested by SENATE COMMITTEE ON GENERAL GOVERNMENT AND ACCOUNTABILITY

**PROPOSED AMENDMENTS TO
SENATE BILL 89**

1 On page 1 of the printed bill, line 3, after “293.231,” insert “293.233,”.

2 In line 6, delete “(3)” and insert “(4)”.

3 In line 21, after “(3)” insert “(a)”.

4 In line 26, delete the period and insert “and notify the state agency of the
5 assignment.

6 “(b) Nothing in this subsection prohibits the department from offering for
7 assignment the debt to a private collection agency at any time within the
8 six-month period.”.

9 On page 2, line 34, restore “a state agency” and delete “the Department
10 of Revenue”.

11 In line 35, delete “of” and insert “against” and delete “department”.

12 In line 36, delete “or any other”.

13 On page 3, line 12, after “under” insert “subsection (6) of”.

14 In line 21, after “(13)” insert “(a)”.

15 After line 23, insert:

16 “(b) The department shall set forth in writing the standards described in
17 paragraph (a) of this subsection and shall transmit the writing to a private
18 collection agency before assigning an account to the agency under this sec-
19 tion.

20 “(14)(a) A state agency may recall an account assigned to the Department
21 of Revenue if the account is deemed uncollectible under ORS 293.240 or set-

1 tled by compromise under ORS 293.240, or if the account may not be collected
2 under state or federal law or is eligible for cancellation under state or fed-
3 eral law.

4 “(b) If an account recalled under this subsection was assigned to a private
5 collection agency, the department shall cancel and recall the account from
6 the private collection agency.”.

7 On page 4, line 18, after the period insert “The notice must provide that
8 the debtor may, within 30 days and in a manner prescribed by the depart-
9 ment, contest the setoff and request a hearing before the department. No is-
10 sues may be considered at the hearing that were previously litigated or that
11 the debtor failed to raise timely after being given due notice of rights of
12 appeal.”.

13 In line 34, delete “provided” and insert “prohibited” and after “of” insert
14 “state”.

15 On page 6, after line 30, insert:

16 “**SECTION 4a.** ORS 293.233 is amended to read:

17 “293.233. (1) A state agency may use rules adopted by the Oregon De-
18 partment of Administrative Services for exempting liquidated and delinquent
19 accounts from assignment to **the Department of Revenue or** a private
20 collection agency. The state agency shall provide documentation and justi-
21 fication for exempting liquidated and delinquent accounts from assignment.

22 “(2) The Oregon Department of Administrative Services shall adopt rules
23 governing the procedure that a state agency may follow in exempting a liq-
24 uidated and delinquent account from assignment, including but not limited
25 to adequacy of the documentation and justification that a state agency is
26 required to provide under this section.”.

27 On page 9, line 27, after “293.231,” insert “293.233,”.

28 In line 34, after “293.231,” insert “293.233,”.

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