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TESTIMONY ON SENATE BILL 753

For the Senate Committee On Judiciary and Ballot Measure 110 Implementation

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Presented by:

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This testimony is presented in support of Senate Bill 753.

How This Bill Changes Current Law

ORS 25.381 currently requires the Oregon Child Support Program—the state’s Title IV-D program—to provide upon request some services for the payment of spousal support if the parent is receiving public assistance. Enforcing for spousal support *only* (no child support involved) is outside the scope of Title IV-D and is not eligible for Title IV-D federal reimbursement because it does not include child support. Senate Bill 753 repeals subsection (2)(b) of the statute, which would mean that the Oregon Child Support Program would enforce spousal support only in conjunction with a child support obligation. This would eliminate the non-IV-D cases for which the program does not receive federal funding. As a result, the time the program’s staff currently expends on providing limited service on these non-IV-D cases will be devoted to the program’s core mission of child support.

This legislation also aligns Oregon’s practice with that of other states, including California and Washington state.

Key Points of Legislation

- Allows the Oregon Child Support Program to dedicate agency resources previously assigned to address the impacts of working non-IV-D cases (spousal support only) to providing services to children and families covered under the Title IV-D of the Social Security Act.
- Provides parents with spousal support orders the option of receiving spousal support services if they also have an order for child support, or they have child support arrears that the Oregon Child Support Program is collecting on their behalf.

Fiscal Impact

None.

Resource Benefits

This legislation will eliminate the non-IV-D cases for which the program does not receive federal funding. Therefore, this bill will have a positive impact on the Oregon Child Support Program because it will allow staff's time to be devoted to the program's core mission of child support by dedicating resources previously assigned to work non-IV-D cases to providing services to children and families covered under the Title IV-D of the Social Security Act.

Recommended Action

The Oregon Department of Justice recommends committee approval of Senate Bill 753 because federal law only requires spousal support services be provided when child support services are being provided.