### HB 2008: Family **Financial Protection Act** of Oregon 124,500

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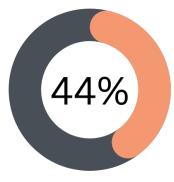
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## **Oregonians are Struggling**





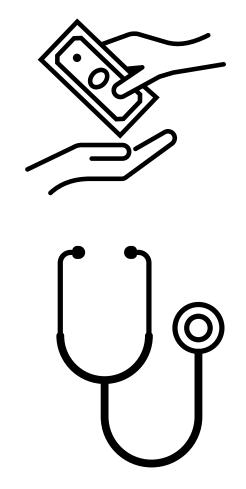
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https://www.oregon.gov/treasury/financial-empowerment/Documents/Annual-reports/230201-FINAL-Oregon-Fir Wellness-Scorecard.pdf?utm\_medium=email&utm\_source=govdelivery 44% of Oregonians are having difficulty covering their expenses and paying their bills.<sup>1</sup>

30% of Oregonians say they likely could not come up with \$2,000 if faced with a financial emergency.<sup>2</sup>

# **Caught in the Debt Trap**

- 16% of Oregonians have debt in collections (approximately 680,000 people).<sup>3</sup>
- Communities of color experience double the rate of debt in collections (35%) than white communities (16%).<sup>4</sup>
- The median debt in collections in Oregon is \$1,563.<sup>5</sup>
- The majority of debt is medical.



Consumers cannot pay their bills. The debt grows over

100+

lawsuits filed against consumers <u>every day<sup>6</sup></u> Late fees are assessed and accounts are shutoff.

> Debt is turned over to a collection agency.

Debt collectors repeatedly contact the consumer via mail and phone.

Problem No. 1: Escalating Debt Trap

Debt collector / debt buyer seizes wages, bank accounts, property, and more.

time, the consumer's

situation worsens, and

they cannot get out of the debt trap.

> Debt collector / debt buyer files a lawsuit against the consumer.

## Problem No. 2: Illegal Debt Collection



- Over the past 5 years, Oregonians have filed over 1,300 complaints with the federal Consumer Financial Protection Bureau related to unfair debt collection practices.<sup>7</sup>
  - Over half of the complaints were related to debt collectors attempting to collect debt that was not owed or was the wrong amount.



- Currently, Oregon law does not provide consumers with a clear path for resolving debt disputes when they don't actually owe the debt.
- In addition, consumers have only a 1 year statute of limitations to file an illegal debt collection case while debt collectors have a 6 year statute of limitations.

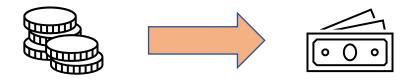
#### HB 2008-- Family Financial Protection Act: Avoiding the Debt Trap

Exemption Area	Current Law	HB 2008 -1
Wages	\$254/week or 75% of wages	Portland Metro min. wage or 75% of wages
Housing	\$40,000	33% of real market value or 100% of real market value for seniors
Bank Accounts	Wages once deposited, plus possible \$400 wildcard	Up to \$2,500 balance
Car	\$3,000	\$10,000
Items Needed for Work	\$5,000	\$15,000 for work items and \$30,000 of farm equipment
Household goods	\$3,000	Protect all belongings except those identified as worth more than \$3,000
Wildcard	\$400	\$1,500, intended not to stack on wages or bank account

\*These amounts will be adjusted annually for inflation.

#### HB 2008– Family Financial Protection Act: Avoiding Illegal Debt Collection Practices

- Increases the minimum penalty for illegal debt collection from \$200 to \$1,000.
- Increases a consumer's statute of limitations to file a case for illegal debt collection from 1 year to 3 years from the date of discovery, but no more than 6 years from the date of injury.
- Ends consumer liability for challenging illegal debt collection.







# HB 2008: -2 Amendment (pending)

- Child support, spousal support, and victim restitution judgements are not subject to the new exemption levels, but will remain at the existing levels.
- Clarification that wildcard cannot be added to wage or bank account exemptions.
- All owners need to be 65 years or older to receive 100% of the real market value homestead exemption, up to cap.
- The homestead exemption will have an upper cap of \$250,000 (under 65) or \$800,000 (65 years or older).
- Clarifying language around indexing for inflation, wage calculations, bank account exemption, and garnishment forms.

### For more information...

- Aspen Institute, <u>A Financial Security Threat in</u> the Courtroom
- Consumer Financial Protection Bureau, **Consumer Experiences with Debt Collection**
- Consumer Financial Protection Bureau, Making Ends Meet in 2022
- National Consumer Law Center, No Fresh Start 2022: Will States Let Debt Collectors Push Families Into Poverty as the Cost of Necessities Soars
- Oregon State Treasury, Oregon Financial Wellness Scorecard

Vote to Advance HB 2008: **The Family Financial Protection Act of Oregon** 

**Organizations supporting HB 2008:** 











