

SENATE AMENDMENTS TO SENATE BILL 865

By COMMITTEE ON HUMAN SERVICES

April 11

1 On page 1 of the printed bill, line 2, delete “and” and insert a comma.

2 In line 3, after “419B.192” insert “and 419B.402”.

3 On page 3, delete lines 28 through 34 and insert:

4 “**SECTION 5.** ORS 419B.402 is amended to read:

5 “419B.402. (1) Pursuant to ORS 18.035, the court shall ensure that any order for support
6 entered pursuant to ORS 419B.400 [*shall be*] is entered as a judgment. [*and the court does not have*
7 *the power to set aside, alter or modify the judgment, or any portion thereof, which provides for any*
8 *payment of money, either for minor children or the support of a party, which has accrued prior to the*
9 *filing of a motion to set aside, alter or modify the judgment.*]

10 “(2) If a motion is filed to set aside, alter or modify a judgment described in subsection
11 (1) of this section, the court may not set aside, alter or modify the judgment, or any portion
12 of the judgment, to the extent that the set-aside, alteration or modification would affect
13 moneys that accrued prior to the date the motion is served on the nonmoving party if the
14 moneys that accrued are for minor children or the support of a party.

15 “(3)(a) Notwithstanding subsection (2) of this section, when a judgment is entered ter-
16 minating or relinquishing a parent’s parental rights, any child support arrears for that child
17 owed to the State of Oregon by the parent are deemed satisfied as a matter of law.

18 “(b) Nothing in subsection (2) of this section limits the authority of the court to deem
19 satisfied any arrears under a judgment described in subsection (1) of this section owed to the
20 State of Oregon by a parent.

21 “**SECTION 6.** (1) Section 2 of this 2023 Act and the amendments to ORS 109.270 and
22 419B.192 by sections 3 and 4 of this 2023 Act apply to any placement decision made on or after
23 the effective date of this 2023 Act and to any appeal of a placement decision that is under
24 consideration on the effective date of this 2023 Act.

25 “(2) The amendments to ORS 419B.402 by section 5 of this 2023 Act apply to matters in-
26 volving moneys for support that are unpaid or accruing before, on or after the effective date
27 of this 2023 Act.

28 “**SECTION 7.** This 2023 Act being necessary for the immediate preservation of the public
29 peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect
30 on its passage.”.

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