

SB 879 STAFF MEASURE SUMMARY

Senate Committee On Labor and Business

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Meeting Dates: 1/28

WHAT THE MEASURE DOES:

The measure requires the Oregon Health Authority (OHA) and the Department of Corrections (DOC) to identify each month patients at the state hospital and adults in custody who receive compensation for work performed at the state hospital or through a program operated by DOC or Oregon Corrections Enterprises and provide that information to the appropriate child support administrator. The measure modifies existing processes for rebutting the presumption of inability to pay child support when an obligor earns compensation for work performed while a patient at the state hospital or incarcerated.

Detailed Summary:

Section 2

Requires the Oregon Health Authority (OHA) and the Department of Corrections (DOC) to identify each month patients at the state hospital and adults in custody who receive compensation for work performed at the state hospital or through a program operated by DOC or Oregon Corrections Enterprises and provide that information to the appropriate child support administrator. Requires the entity responsible for support enforcement to provide notice of the child support obligor's compensation for work performed at OHA or DOC to the obligee and obligor of the child support if the person identified by DOC or OHA has previously been rebuttably presumed unable to pay child support. Specifies form and process for providing notice.

Section 3

Provides process for a party to object to presumption of inability to pay child support upon receipt of notice of compensation for work performed while a obligor is a patient at the state hospital or incarcerated. Provides for a hearing upon receipt of objection to presumption of inability to pay child support.

Section 4

Provides process for a party to object to presumption of inability to pay child support upon receipt of notice of compensation for work performed while a obligor is a patient at the state hospital or incarcerated.

Fiscal impact: May have fiscal impact, but no statement yet issued

Revenue impact: May have revenue impact, but no statement yet issued

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The Oregon Child Support Program is a partnership between the Oregon Department of Justice (DOJ) and 17 county District Attorney offices to provide services and support for Oregon's children. Some of the services provided include: establishing paternity, finding the noncustodial parent, and collecting and processing child support payments.

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In 2017, the Legislative Assembly enacted Senate Bill 682, which established a process to suspend child support obligations owed by obligor's incarcerated for a t least 180 consecutive days under a rebuttable presumption of inability to pay. In 2021, the Legislative Assembly enacted Senate Bill 821. SB 821 created a process for rebutting the presumption of inability to pay child support after the suspension of a child support order based on an obligor's incarceration.

Senate Bill 879 modifies existing processes for rebutting the presumption of inability to pay child support when an obligor earns compensation for work performed while a patient at the state hospital or incarcerated.