

A-Engrossed
House Bill 2213

Ordered by the House March 24
Including House Amendments dated March 24

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Attorney General Hardy Myers for Department of Justice)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Declares state policy regarding spousal support obligations. Removes requirement that district attorney or Division of Child Support provide income withholding services for payment of spousal support.

A BILL FOR AN ACT

1
2 Relating to enforcement of spousal support obligations; creating new provisions; and amending ORS
3 25.381.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 25.381 is amended to read:

6 25.381. (1) Whenever **services are being provided under ORS 25.080**, support rights are not
7 and have not at any time during the past five months been assigned to this or another state, and
8 no arrearages under a support order are so assigned, the [*district attorney or, as appropriate, the*
9 *Division of Child Support of the Department of Justice*] **administrator** shall provide, upon request
10 of an obligor or obligee, services sufficient to permit establishment of income withholding under ORS
11 25.378, including services necessary to establish a support payment record under ORS 25.164 and
12 25.167. [*These services shall be provided to the obligee*]

13 **(2) Regardless of whether services are being provided under ORS 25.080, the administra-**
14 **tor shall provide, upon request of an obligor or obligee, services sufficient to permit estab-**
15 **lishment of income withholding under ORS 25.378:**

16 **(a) For the payment of child support** without the necessity of an application for support
17 enforcement services under Title IV-D of the Social Security Act (42 U.S.C. 651 et seq.); **and**

18 **(b) For the payment of spousal support if the obligee is receiving food stamps or any**
19 **other form of public assistance, as defined in ORS 411.010, from the Department of Human**
20 **Services.**

21 **SECTION 2.** ORS 25.381, 25.384 and 25.387 are added to and made a part of ORS 25.372 to
22 **25.427.**

23 **SECTION 3.** (1) **The Legislative Assembly finds that it is in the best interests of a former**
24 **spouse for whom a court has awarded spousal support, as well as the people of this state,**
25 **that the spousal support obligations be fulfilled.**

26 **(2) It is the policy of this state that a former spouse for whom a court has awarded**
27 **spousal support must be supported by the other former spouse in accordance with the**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 **court's judgment.**

2 **SECTION 4. Section 3 of this 2005 Act is added to and made a part of ORS chapter 107.**

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