

Enrolled
House Bill 2213

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)

CHAPTER

AN ACT

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

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

SECTION 1. ORS 25.381 is amended to read:

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

(2) Regardless of whether services are being provided under ORS 25.080, the administrator shall provide, upon request of an obligor or obligee, services sufficient to permit establishment of income withholding under ORS 25.378:

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

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

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

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

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

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

Passed by House March 30, 2005

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Chief Clerk of House

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Speaker of House

Passed by Senate June 1, 2005

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President of Senate

Received by Governor:

.....M,....., 2005

Approved:

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Governor

Filed in Office of Secretary of State:

.....M,....., 2005

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Secretary of State