

Secretary of State  
**NOTICE OF PROPOSED RULEMAKING\***  
A Statement of Need and Fiscal Impact accompanies this form

Department of Justice	137
Agency and Division	Administrative Rules Chapter Number
Carol Riches	(503) 947-4700
Rules Coordinator	Telephone
Department of Justice, 1162 Court St. NE, Salem, OR 97301	
Address	

**RULE CAPTION**

updating cite references and correcting errors in miscellaneous rules.

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

**RULEMAKING ACTION**

Secure approval of rule numbers with the Administrative Rules Unit prior to filing

**ADOPT:**  
**AMEND:**  
137-055-1100, 137-055-3300, 137-055-3360, 137-055-3435, 137-055-3500, 137-055-3660, 137-055- 5510, 137-055-6120, 137-055-7180

**REPEAL:**  
**RENUMBER:** Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.  
**AMEND AND RENUMBER:** Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

**Statutory Authority:**  
25.080, 25.729, 180.345, 416.455

**Other Authority:**

**Statutes Implemented:**  
18.228, 25.020, 25.080, 25.164, 25.167, 110.327, 110.333, 416.407, 416.416, 416.422, 416.425, 416.440

**RULE SUMMARY**

The following rules are being amended to update cite references and correct typos and grammatical errors: OAR 137-055-1100, OAR 137-055-3360, OAR 137-055-3500, OAR 137-055-3660, OAR 137-055-5510 and OAR 137-055-6120

OAR 137-055-3300 is being amended to clarify that an incarcerated obligor is not precluded from requesting either periodic review or change of circumstance modification at any time.

OAR 137-055-3435 is being amended to clarify that a parent may contest whether there has been a change in physical custody and the time during which the change occurred, as provided in the other parent's change of custody affidavit.

OAR 137-055-7180 is being amended to clarify that a Determination of Controlling Order must be filed in court within 30 days of its issuance.

Please submit written comments by 5:00 p.m. Friday, March 21, 2014, to Lori Woltring, Policy Analyst, Division of Child Support, 1162 Court St NE Salem, Oregon 97301. Questions may be directed to that address or you may call (503) 947-4367

A public rulemaking hearing may be requested in writing by 10 or more people, or by an association with 10 or more members, within 21 days following the publication of the Notice of Proposed Rulemaking in the *Oregon Bulletin* or 28 days from the date Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, the notice of the date and time of the rulemaking hearing must be published in the *Oregon Bulletin* at least 14 days before the hearing.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

03-21-2014 5:00 p.m.	Carol Riches	Carol.Riches@state.or.us
Last Day (m/d/yyyy) and Time for public comment	Rules Coordinator Name	Email Address

<b>FILED</b> 1-13-14 10:55 AM ARCHIVES DIVISION SECRETARY OF STATE
---

\*The Oregon Bulletin is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation.

Secretary of State  
**STATEMENT OF NEED AND FISCAL IMPACT**  
A Notice of Proposed Rulemaking accompanies this form.

Department of Justice  
Agency and Division

137  
Administrative Rules Chapter Number

updating cite references and correcting errors in miscellaneous rules.

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of:

137-055-1100, 137-055-3300, 137-055-3360, 137-055-3435, 137-055-3500, 137-055-3660, 137-055-5510, 137-055-6120, 137-055-7180

**Statutory Authority:**

25.080, 25.729, 180.345, 416.455

**Other Authority:**

**Statutes Implemented:**

18.228, 25.020, 25.080, 25.164, 25.167, 110.327, 110.333, 416.407, 416.416, 416.422, 416.425, 416.440

**Need for the Rule(s):**

Amendments to OAR 137-055-1100, OAR 137-055-3360, OAR 137-055-3500, OAR 137-055-3660, OAR 137-055-5510 and OAR 137-055-6120 are needed to correct typos and update cite references.  
Amendment to OAR 137-055-3300 is needed to clarify that an incarcerated obligor may request a periodic review or change of circumstance modification at any time.  
Amendment to OAR 137-055-3435 is needed in order to correctly process an objection to a change in physical custody.  
Amendment to OAR 137-055-7180 is needed to correct the timeframe for filing a Determination of Controlling Order in court.

**Documents Relied Upon, and where they are available:**

n/a

**Fiscal and Economic Impact:**

The amendments to these rules do not impact small or large businesses. Because the amendments do not require any changes for businesses, there will be no fiscal impact.

**Statement of Cost of Compliance:**

**1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):**

none

**2. Cost of compliance effect on small business (ORS 183.336):**

**a. Estimate the number of small business and types of businesses and industries with small businesses subject to the rule:**

none

**b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:**

none

**c. Equipment, supplies, labor and increased administration required for compliance:**

none

**How were small businesses involved in the development of this rule?**

No small businesses were involved in the development of these rules because the amendments do not require any changes for small businesses.

**Administrative Rule Advisory Committee consulted?:** Yes

**If not, why?:**

03-21-2014 5:00 p.m.	Carol Riches	Carol.Riches@state.or.us
Last Day (m/d/yyyy) and Time for public comment	Printed Name	Email Address

<b>FILED</b> 1-13-14 10:55 AM ARCHIVES DIVISION SECRETARY OF STATE
---