

**PROPOSED AMENDMENTS TO  
SENATE BILL 1505**

1 On page 1 of the printed bill, line 2, after the semicolon insert “creating  
2 new provisions; and”.

3 On page 5, after line 29, insert:

4 **“SECTION 2. (1) A person or governmental entity may not dis-**  
5 **criminate against a disabled veteran as defined in ORS 408.225 by**  
6 **seeking to obtain a spousal support award under ORS 107.105 that is**  
7 **calculated based upon earnings, income and resources available to the**  
8 **disabled veteran that includes the amount of disability benefits pay-**  
9 **ments received by the disabled veteran from the United States De-**  
10 **partment of Veterans Affairs.**

11 **“(2) Any person directly injured by a violation of subsection (1) of**  
12 **this section may bring an action against anyone who knowingly prac-**  
13 **tices, or conspires to practice, activities prohibited by subsection (1)**  
14 **of this section, and shall recover threefold the damages sustained. In**  
15 **an action brought under this subsection, the plaintiff, upon proof that**  
16 **the plaintiff has been unlawfully discriminated against by the defend-**  
17 **ant, shall be conclusively presumed to have sustained damages equal**  
18 **to the monetary amount of the unlawful discrimination.**

19 **“(3) The court shall award reasonable attorney fees and court costs,**  
20 **including expert witness fees, to the prevailing plaintiff in an action**  
21 **under subsection (2) of this section.**

22 **“SECTION 3. (1) In a judgment of marital annulment, dissolution**

1 or separation any award of spousal support that is calculated based  
2 on earnings, income and resources that include the amount of disa-  
3 bility benefits payments received by a party from the United States  
4 Department of Veterans Affairs in violation of ORS 107.105 (1)(d) shall  
5 be presumed to be an abuse of discretion.

6 “(2) Upon setting aside and modifying the spousal support award  
7 following a finding of abuse of discretion under subsection (1) of this  
8 section, the court shall order reimbursement to the payor of the  
9 amount of spousal support paid, plus interest, that would not have  
10 been ordered had the abuse of discretion not occurred.

11 “SECTION 4. (1) Section 2 of this 2014 Act and the amendments to  
12 ORS 107.105 by section 1 of this 2014 Act apply to calculations and  
13 awards of spousal support made before, on or after the effective date  
14 of this 2014 Act.

15 “(2) Section 3 of this 2014 Act applies to judgments entered on or  
16 after the effective date of this 2014 Act.”.

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