

HB 2986 A STAFF MEASURE SUMMARY

Carrier: Rep. Williamson

House Committee On Judiciary

Action Date: 04/14/17

Action: Do pass with amendments. (Printed A-Eng.)

Vote: 10-0-1-0

Yeas: 10 - Barker, Gorsek, Greenlick, Lininger, Olson, Post, Sanchez, Stark, Vial, Williamson

Exc: 1 - Sprenger

Fiscal: Fiscal impact issued

Revenue: No revenue impact

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WHAT THE MEASURE DOES:

Updates chapters of Oregon Revised Statutes relating to probate. Adds definition of "estate." Addresses jurisdiction of Oregon courts as relates to estate distributions. Allows electronic notice of hearings. Updates bonding requirements for special administrator and personal representative. Allows personal representative to petition for alternative compensation structure. Modifies preferences for appointment of personal representative and notice requirements. Makes updates to process for administration of estates. Adds provisions specifying when a claim has been referred to a personal representative. Updates process for claims against estate. Defines "property subject to jurisdiction of court." Modifies language relating to method of compensation for personal representative. Makes conforming amendments.

ISSUES DISCUSSED:

- History of the Probate Modernization Work Group
- Value of the work group
- Changes the bill makes

EFFECT OF AMENDMENT:

Modifies language relating to method of compensation for personal representative.

BACKGROUND:

The Oregon Probate Code was adopted in 1969. In 2013, the Probate Modernization Work Group of the Oregon Law Commission was formed to review and recommend changes to the Code.

House Bill 2986-A is the 2017 probate modernization recommendation of the Oregon Law Commission.