

## HOUSE AMENDMENTS TO SENATE BILL 474

By COMMITTEE ON JUDICIARY

May 30

1 On page 1 of the printed bill, line 10, after “(a)” insert “The person who would be benefited by  
2 the forfeiture is a child or sibling of the decedent,”.

3 After line 15, insert:

4 “(b) The person who would be benefited by the forfeiture is not a child or sibling of the  
5 decedent, the decedent was an adult when the decedent died and:

6 “(A) The parent or stepparent of the decedent willfully deserted the decedent for the three-year  
7 period immediately preceding the date on which the decedent became an adult; or

8 “(B) The parent or stepparent neglected without just and sufficient cause to provide proper care  
9 and maintenance for the decedent for the three-year period immediately preceding the date on which  
10 the decedent became an adult.”.

11 In line 16, delete “(b)” and insert “(c) The person who would be benefited by the forfeiture is  
12 a child or sibling of the decedent,”.

13 After line 22, insert:

14 “(d) The person who would be benefited by the forfeiture is not a child or sibling of the  
15 decedent, the decedent was a minor when the decedent died and:

16 “(A) The parent or stepparent of the decedent willfully deserted the decedent for the life of the  
17 decedent or for the three-year period immediately preceding the date on which the decedent died;  
18 or

19 “(B) The parent or stepparent neglected without just and sufficient cause to provide proper care  
20 and maintenance for the decedent for the life of the decedent or for the three-year period imme-  
21 diately preceding the date on which the decedent died.”.

22 In line 23, delete “(c)” and insert “(e)”.

23 On page 2, line 31, after “by” insert a colon and delete the rest of the line.

24 After line 31, insert:

25 “(a) If the petitioner is a child or sibling of the decedent, a preponderance of evidence; or

26 “(b) If the petitioner is not a child or sibling of the decedent, clear and convincing evidence.”.

27 In line 38, after “(b)” insert “The person who would be benefited by the forfeiture is a child or  
28 sibling of the decedent,”.

29 After line 43, insert:

30 “(c) The person who would be benefited by the forfeiture is not a child or sibling of the  
31 decedent, the decedent was an adult when the decedent died and:

32 “(A) The parent of the decedent willfully deserted the decedent for the three-year period imme-  
33 diately preceding the date on which the decedent became an adult; or

34 “(B) The parent neglected without just and sufficient cause to provide proper care and mainte-  
35 nance for the decedent for the three-year period immediately preceding the date on which the

1 decedent became an adult.”.

2 In line 44, delete “(c)” and insert “(d) The person who would be benefited by the forfeiture is  
3 a child or sibling of the decedent,”.

4 On page 3, after line 4, insert:

5 “(e) The person who would be benefited by the forfeiture is not a child or sibling of the  
6 decedent, the decedent was a minor when the decedent died and:

7 “(A) The parent of the decedent willfully deserted the decedent for the life of the decedent or  
8 for the three-year period immediately preceding the date on which the decedent died; or

9 “(B) The parent neglected without just and sufficient cause to provide proper care and mainte-  
10 nance for the decedent for the life of the decedent or for the three-year period immediatly preced-  
11 ing the date on which the decedent died.”.

12 In line 34, delete “a preponderance of evidence.” and insert a colon.

13 After line 34, insert:

14 “(a) If the petitioner is a child or sibling of the decedent, a preponderance of evidence; or

15 “(b) If the petitioner is not a child or sibling of the decedent, clear and convincing evidence.”.

16 In line 38, after “if” insert “the person who would be benefited by the forfeiture is a child or  
17 sibling of the transferor,”.

18 After line 43, insert:

19 “(2) Property that would pass by transfer on death deed under ORS 93.948 to 93.979 from a de-  
20 ceased transferor to a parent of the deceased transferor shall pass and be vested as if the parent  
21 had predeceased the transferor if the person who would be benefited by the forfeiture is not a child  
22 or sibling of the transferor, the transferor was an adult when the transferor died and:

23 “(a) The parent of the transferor willfully deserted the transferor for the three-year period im-  
24 mediately preceding the date on which the transferor became an adult; or

25 “(b) The parent neglected without just and sufficient cause to provide proper care and mainte-  
26 nance for the transferor for the three-year period immediately preceding the date on which the  
27 transferor became an adult.”.

28 In line 44, delete “(2)” and insert “(3)”.

29 On page 4, line 1, after “if” insert “the person who would be benefited by the forfeiture is a  
30 child or sibling of the transferor,”.

31 After line 7, insert:

32 “(4) Property that would pass by transfer on death deed under ORS 93.948 to 93.979 from the  
33 deceased transferor to a parent of the deceased transferor shall pass and be vested as if the parent  
34 had predeceased the transferor if the person who would be benefited by the forfeiture is not a child  
35 or sibling of the transferor, the transferor was a minor when the transferor died and:

36 “(a) The parent of the transferor willfully deserted the transferor for the life of the transferor  
37 or for the three-year period immediately preceding the date on which the transferor died; or

38 “(b) The parent neglected without just and sufficient cause to provide proper care and mainte-  
39 nance for the transferor for the life of the transferor or for the three-year period immediatly pre-  
40 ceding the date on which the transferor died.”.

41 In line 8, delete “(3)” and insert “(5)” and delete “and (2)” and insert “to (4)”.

42 In line 12, delete “(4)” and insert “(6)” and delete “and (2)” and insert “to (4)”.

43 In line 17, delete “(5)” and insert “(7)”.

44 In line 38, delete “a preponderance of evidence.” and insert a colon.

45 After line 38, insert:

1           “(a) If the petitioner is a child or sibling of the transferor, a preponderance of evidence; or  
2           “(b) If the petitioner is not a child or sibling of the transferor, clear and convincing  
3 evidence.”.  
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