

Requested by SENATE COMMITTEE ON RULES

**PROPOSED AMENDMENTS TO
HOUSE BILL 2032**

1 In line 2 of the printed bill, after “106.310” insert “and 106.340”.

2 After line 9, insert:

3 **“SECTION 2.** ORS 106.340 is amended to read:

4 “106.340. (1) Any privilege, immunity, right or benefit granted by statute,
5 administrative or court rule, policy, common law or any other law to an in-
6 dividual because the individual is or was married, or because the individual
7 is or was an in-law in a specified way to another individual, is granted on
8 equivalent terms, substantive and procedural, to an individual because the
9 individual is or was in a domestic partnership or because the individual is
10 or was, based on a domestic partnership, related in a specified way to an-
11 other individual.

12 “(2) Any responsibility imposed by statute, administrative or court rule,
13 policy, common law or any other law on an individual because the individual
14 is or was married, or because the individual is or was an in-law in a specified
15 way to another individual, is imposed on equivalent terms, substantive and
16 procedural, on an individual because the individual is or was in a domestic
17 partnership or because the individual is or was, based on a domestic part-
18 nership, related in a specified way to another individual.

19 “(3) Any privilege, immunity, right, benefit or responsibility granted or
20 imposed by statute, administrative or court rule, policy, common law or any
21 other law to or on a spouse with respect to a child of either of the spouses

1 is granted or imposed on equivalent terms, substantive and procedural, to
2 or on a partner with respect to a child of either of the partners.

3 “(4) Any privilege, immunity, right, benefit or responsibility granted or
4 imposed by statute, administrative or court rule, policy, common law or any
5 other law to or on a former or surviving spouse with respect to a child of
6 either of the spouses is granted or imposed on equivalent terms, substantive
7 and procedural, to or on a former or surviving partner with respect to a child
8 of either of the partners.

9 “(5) Many of the laws of this state are intertwined with federal law, and
10 the Legislative Assembly recognizes that it does not have the jurisdiction to
11 control federal laws or the privileges, immunities, rights, benefits and re-
12 sponsibilities related to federal laws.

13 “(6) ORS 106.300 to 106.340 do not require [*or permit*] the extension of any
14 benefit under ORS chapter 238 or 238A, or under any other retirement, de-
15 ferred compensation or other employee benefit plan.[, *if the plan adminis-*
16 *trator reasonably concludes that the extension of benefits would conflict with*
17 *a condition for tax qualification of the plan, or a condition for other favorable*
18 *tax treatment of the plan, under the Internal Revenue Code or regulations*
19 *adopted under the Internal Revenue Code.*]

20 “(7) ORS 106.300 to 106.340 do not require the extension of any benefit
21 under any employee benefit plan that is subject to federal regulation under
22 the Employee Retirement Income Security Act of 1974.

23 “(8) For purposes of administering Oregon tax laws, partners in a domes-
24 tic partnership, surviving partners in a domestic partnership and the chil-
25 dren of partners in a domestic partnership have the same privileges,
26 immunities, rights, benefits and responsibilities as are granted to or imposed
27 on spouses in a marriage, surviving spouses and their children.”.

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