

Enrolled Senate Bill 15

Sponsored by Senator THATCHER; Senators GIROD, SMITH DB, Representative RESCHKE (Pre-session filed.)

CHAPTER

AN ACT

Relating to simple estates; creating new provisions; and amending ORS 114.510.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 114.510 is amended to read:

114.510. (1) A person who meets the requirements of ORS 114.515 may file a simple estate affidavit only with regard to an estate in which:

(a)(A) Not more than \$75,000 of the fair market value of the estate is attributable to personal property **other than manufactured homes**; and

(B) Not more than \$200,000 of the fair market value of the estate is attributable to **the combined fair market value of real property and manufactured homes**; or

(b) The decedent died testate and:

(A) Not more than \$75,000 of the fair market value of the estate is attributable to specifically devised personal property **other than manufactured homes**;

(B) Not more than \$200,000 of the fair market value of the estate is attributable to specifically devised real property **and manufactured homes**; and

(C) The balance of the fair market value of the estate is attributable to property that is devised to the trustee of a trust of which the decedent was a settlor, as defined in ORS 130.010, and which came into existence prior to the decedent's date of death.

(2)(a) The fair market value of the estate under subsection (1) of this section shall be determined:

(A) As of the date of death; or

(B) If the date of death is more than one year before the date of filing of the affidavit, as of a date within 45 days before the filing of the affidavit.

(b) In determining fair market value under this subsection, the fair market value of the entire interest in the property included in the estate shall be used without reduction for liens or other debts.

(3) As used in this section, "manufactured home" means a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed in accordance with federal manufactured housing construction and safety standards and regulations in effect at the time of construction.

SECTION 1a. If Senate Bill 168 becomes law, section 1 of this 2025 Act (amending ORS 114.510) is repealed and ORS 114.510, as amended by section 2, chapter 34, Oregon Laws 2025 (Enrolled Senate Bill 168), is amended to read:

114.510. (1) A person who meets the requirements of ORS 114.515 may file a simple estate affidavit only with regard to an estate in which:

(a)(A) Not more than \$75,000 of the fair market value of the estate is attributable to personal property **other than manufactured homes**; and

(B) Not more than \$200,000 of the fair market value of the estate is attributable to **the combined fair market value of real property and manufactured homes**; or

(b) The decedent died testate and:

(A) Not more than \$75,000 of the fair market value of the estate is attributable to personal property **other than manufactured homes** that is specifically devised to devisees other than the trustee of a trust described in subparagraph (C) of this paragraph;

(B) Not more than \$200,000 of the fair market value of the estate is attributable to real property **and manufactured homes** that is specifically devised to devisees other than the trustee of a trust described in subparagraph (C) of this paragraph; and

(C) The balance of the fair market value of the estate is attributable to property that is devised to the trustee of a trust of which the decedent was a settlor, as defined in ORS 130.010, and which came into existence prior to the decedent's date of death.

(2)(a) The fair market value of the estate under subsection (1) of this section shall be determined:

(A) As of the date of death; or

(B) If the date of death is more than one year before the date of filing of the affidavit, as of a date within 45 days before the filing of the affidavit.

(b) In determining fair market value under this subsection, the fair market value of the entire interest in the property included in the estate shall be used without reduction for liens or other debts.

(3) **As used in this section, "manufactured home" means a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed in accordance with federal manufactured housing construction and safety standards and regulations in effect at the time of construction.**

SECTION 2. The amendments to ORS 114.510 by section 1 of this 2025 Act apply to estates of decedents dying on or after the effective date of this 2025 Act.

SECTION 2a. If Senate Bill 168 becomes law, section 2 of this 2025 Act is amended to read:

Sec. 2. The amendments to ORS 114.510 by section [1] **1a** of this 2025 Act apply to estates of decedents dying on or after the effective date of this 2025 Act.

Passed by Senate April 3, 2025

Repassed by Senate June 9, 2025

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Obadiah Rutledge, Secretary of Senate

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Rob Wagner, President of Senate

Passed by House June 4, 2025

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Julie Fahey, Speaker of House

Received by Governor:

.....M.,....., 2025

Approved:

.....M.,....., 2025

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Tina Kotek, Governor

Filed in Office of Secretary of State:

.....M.,....., 2025

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Tobias Read, Secretary of State