

## HOUSE AMENDMENTS TO RESOLVE CONFLICTS TO SENATE BILL 392

By COMMITTEE ON JUDICIARY

June 27

1 On page 1 of the printed bill, after line 14, insert:

2 **“SECTION 1a. If House Bill 2415 becomes law, section 1 of this 2005 Act (amending ORS**  
3 **112.465) is repealed and ORS 112.465, as amended by section 2, chapter \_\_\_\_\_, Oregon Laws**  
4 **2005 (Enrolled House Bill 2415), is amended to read:**

5 “112.465. (1) Property that would have passed by [*intestate succession, by will or by trust from*]  
6 **reason of the death of a decedent** [*or the estate of the decedent*] to a person who was a slayer or  
7 an abuser of the decedent, **whether by intestate succession, by will or by trust**, passes and vests  
8 as if the slayer or abuser had predeceased the decedent.

9 **“(2) Property that would have passed by reason of the death of an heir or devisee of a**  
10 **decedent to a person who was the slayer or abuser of the decedent, whether by intestate**  
11 **succession, by will or by trust, passes and vests as if the slayer or abuser had predeceased**  
12 **the decedent unless the heir or devisee specifically provides otherwise in a will or other in-**  
13 **strument executed after the death of the decedent.”.**

14 On page 2, after line 3, insert:

15 **“SECTION 2a. If House Bill 2415 becomes law, section 2 of this 2005 Act (amending ORS**  
16 **112.515) is repealed and ORS 112.515, as amended by section 7, chapter \_\_\_\_\_, Oregon Laws**  
17 **2005 (Enrolled House Bill 2415), is amended to read:**

18 “112.515. (1) **Except as provided under subsection (2) of this section**, proceeds payable **un-**  
19 **der any of the following instruments** to or for the benefit of a slayer of a decedent or an abuser  
20 of a decedent, as beneficiary or assignee of the decedent [*of the following interests*] **or as benefi-**  
21 **ciary or assignee of an heir or devisee of the decedent**, [*shall*] **must** be paid to the secondary  
22 beneficiary[,] or, if there is no secondary beneficiary, to the personal representative of the  
23 [*decedent's*] estate **of the decedent or the decedent's heir or devisee:**

24 “[*1*] (a) A policy or certificate of insurance on the life of the decedent.

25 “[*2*] (b) A certificate of membership in any benevolent association or organization on the life  
26 of the decedent.

27 “[*3*] (c) Rights of the decedent as survivor of a joint life policy.

28 “[*4*] (d) Proceeds under any pension, profit-sharing or other plan.

29 **“(2) Proceeds payable under any of the instruments specified in subsection (1) of this**  
30 **section to or for the benefit of a slayer of a decedent or an abuser of a decedent as benefi-**  
31 **ciary or assignee of an heir or devisee of the decedent shall be paid to the slayer or abuser**  
32 **if the heir or devisee specifically provides for that payment by written instrument executed**  
33 **after the death of the decedent.”.**

34 After line 5, insert:

35 **“SECTION 3a. If House Bill 2415 becomes law, section 3 of this 2005 Act is amended to read:**

1           “**Sec. 3.** The amendments to ORS 112.465 and 112.515 by sections [*1 and 2*] **1a and 2a** of this  
2 2005 Act apply only to heirs or devisees who die on or after the effective date of this 2005 Act.”  
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