

**SB 626 STAFF MEASURE SUMMARY**

**Senate Committee On Finance and Revenue**

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**Prepared By:** Jonathan Hart, Economist

**Meeting Dates:** 2/15

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**WHAT THE MEASURE DOES:**

Modifies definition of "descendant" for purposes of decedent's estates to include person with functional child relationship with decedent. Modifies definition of "pretermitted child" to include a person the court determines to be functional child of decedent if determination is made after date decedent executed will. Applies to estates of decedents dying on or after effective date.

**ISSUES DISCUSSED:**

**EFFECT OF AMENDMENT:**

No amendment.

**BACKGROUND:**

HB 626 adds definitions for functional child and functional parent to Oregon law with respect to probate law, and includes functional child (and the functional child's descendants) in the list of descendants considered as possible inheritors of a decedent's estate.

HB 626 provides that a court shall consider the totality of circumstances and determine whether a person has such a functional child or functional parent relationship. For both relationship types, the bill provides criteria that the court may use in making the determination.