

SENATE AMENDMENTS TO HOUSE BILL 2032

By COMMITTEE ON RULES

March 3

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, administrative or court
5 rule, policy, common law or any other law to an individual because the individual is or was married,
6 or because the individual is or was an in-law in a specified way to another individual, is granted
7 on equivalent terms, substantive and procedural, to an individual because the individual is or was
8 in a domestic partnership or because the individual is or was, based on a domestic partnership, re-
9 lated in a specified way to another individual.

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

16 “(3) Any privilege, immunity, right, benefit or responsibility granted or imposed by statute, ad-
17 ministrative or court rule, policy, common law or any other law to or on a spouse with respect to
18 a child of either of the spouses is granted or imposed on equivalent terms, substantive and proce-
19 dural, to or on a partner with respect to a child of either of the partners.

20 “(4) Any privilege, immunity, right, benefit or responsibility granted or imposed by statute, ad-
21 ministrative or court rule, policy, common law or any other law to or on a former or surviving
22 spouse with respect to a child of either of the spouses is granted or imposed on equivalent terms,
23 substantive and procedural, to or on a former or surviving partner with respect to a child of either
24 of the partners.

25 “(5) Many of the laws of this state are intertwined with federal law, and the Legislative As-
26 sembly recognizes that it does not have the jurisdiction to control federal laws or the privileges,
27 immunities, rights, benefits and responsibilities related to federal laws.

28 “(6) ORS 106.300 to 106.340 do not require [*or permit*] the extension of any benefit under ORS
29 chapter 238 or 238A, or under any other retirement, deferred compensation or other employee ben-
30 efit plan.*[if the plan administrator reasonably concludes that the extension of benefits would conflict*
31 *with a condition for tax qualification of the plan, or a condition for other favorable tax treatment of*
32 *the plan, under the Internal Revenue Code or regulations adopted under the Internal Revenue Code.]*

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

1 “(8) For purposes of administering Oregon tax laws, partners in a domestic partnership, surviv-
2 ing partners in a domestic partnership and the children of partners in a domestic partnership have
3 the same privileges, immunities, rights, benefits and responsibilities as are granted to or imposed
4 on spouses in a marriage, surviving spouses and their children.”

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