



TO: The Oregon Senate Committee on Rules
FR: Jeana Frazzini, Co-Executive Director, Basic Rights Oregon
DA: June 9, 2015
RE: Support for HB 2478 Updating Marriage Statutes

Chair Rosenbaum, Members of the Committee, my name is Jeana Frazzini and I am the Co-Executive Director of Basic Rights Oregon, our state's leading advocacy group working to ensure that all lesbian, gay, bisexual, transgender and queer (LGBTQ) Oregonians experience equality.

More than a year ago—on May 19th, 2014—U.S. District Court Judge Michael McShane ruled that gay and lesbian couples in Oregon have the right and the freedom to marry. Since that momentous day, same-sex couples who were previously denied the ability to marry the person they love have now done so. So much joy, so much love, so many happy families. And, I'm pleased to announce that the sky is still intact.

In fact, with the federal court ending the ban on committed LGBTQ couples marrying here, Oregon has joined 36 other states plus the District of Columbia that recognize marriage between two loving individuals, regardless of their sexual orientation or gender identity. And, as has been true for other states that have extended the freedom to marry to same-sex couples, Oregon now must update and modernize its marriage statutes to reflect this reality.

As many other states before us have recognized and contended with, a discrepancy now exists between the recognized law of our land—the freedom to marry—and outdated, unenforceable language in our state statutes that still defines marriage as between a husband and wife.

House Bill 2478 updates and modernizes Oregon's marriage statutes to fix this discrepancy, and to reflect that we now recognize the freedom to marry for all loving, committed couples—including same-sex couples.

In short, HB 2478 would amend Oregon's state statutes referring to marriage to be two spouses to ensure all couples who are married in Oregon are covered under the law. Specific updates contained in HB 2478 include modernizing the law around procedural elements of marriage ceremonies, and making statutes more gender neutral to reflect that both same-sex and opposite-sex couples can marry.

While it may sound dry, this bill will have very real positive effects for families. For example, HB 2478 will help ensure fair employment practices by clarifying that married spouses—regardless of their gender—are recognized as the legal and rightful beneficiaries should their spouse become injured on the job. It also will update language for funeral home directors, allowing same-sex partners to make decisions related to the burial of their loved one. In our work on this bill we determined there is more work to do, in separate

legislation regarding parentage and it needs to be dealt with in a bill solely dedicated to this topic.

In our work on this legislation in the House this bill was amended at the request of Representative McLane. We pared the bill down to just deal with references to husband and wife to start the process of updating our statutes. Now we await a decision by the U.S. Supreme Court on marriage equality later this month. Pending that ruling, we will return in the short 2016 session to finish the updates of these statutes.

Thank you for bringing forward this important bill, and I urge your support of HB 2478.