

PRELIMINARY STAFF MEASURE SUMMARY**CARRIER:**

Senate Committee on Judiciary

REVENUE: May have revenue impact, statement not yet issued**FISCAL: May have fiscal impact, statement not yet issued****SUBSEQUENT REFERRAL TO:****Action:****Vote:****Yeas:****Nays:****Exc.:****Prepared By:** Whitney Perez, Counsel**Meeting Dates:** 2/17

WHAT THE MEASURE DOES: Adds secular organization to list of entities authorized to solemnize marriages. Adds celebrant or officiant of secular organization to list of persons authorized to solemnize marriages. Defines secular organization.

ISSUES DISCUSSED:

- Purpose of measure to allow non-religious organizations to marry couples
- Definition of secular organization
- Amendments to marriage forms
- Ability to have notary solemnize marriage

EFFECT OF COMMITTEE AMENDMENT:

Proposed (-2) Amendment adds a current member of the Legislative Assembly to the persons who may solemnize marriages. Requires HB 4073 to take effect on the 91st day after sine die of the 78th Legislative Assembly.

Proposed (-3) Amendment encompasses the (-2) amendment. It also prohibits the state registrar from requiring an address for any person, organization, or congregation authorized to solemnize marriages.

Proposed (-5) Amendment allows persons or entities authorized to solemnize marriage to refuse to do so and provides immunity from liability. This refusal may also not be considered discrimination in a place of public accommodation.

BACKGROUND: Oregon currently only allows marriages to be solemnized by a judicial officer, a county clerk, religious organizations or congregations, or a clergy person of any religious congregation or organization who is authorized by the congregation or organization to solemnize marriages. There is no provision in Oregon law for a secular organization or officiant of a secular organization to solemnize marriages.

House Bill 4073 adds secular organization and a celebrant or officiant of any secular organization to the list of persons and entities authorized to solemnize marriages. For clarity and guidance, it also defines secular organization. The measure provides conforming language for related Oregon statutes.