

STAFF MEASURE SUMMARY

House Committee On Judiciary

MEASURE: HB 4127
CARRIER: Rep. Vega Pederson

Fiscal: No fiscal impact
Revenue: No Revenue Impact

Action Date: 02/02/16

Action: Do Pass.

Meeting Dates: 02/02

Vote:

Yeas: 5 - Barker, Barton, Greenlick, Lininger, Vega Pederson

Nays: 3 - Krieger, Post, Sprenger

Exc: 1 - Olson

Prepared By: Whitney Perez, Counsel

WHAT THE MEASURE DOES:

Establishes state policy that privileges, immunities, rights, benefits and responsibilities controlled by law apply equally to married persons of same or opposite sex. Updates statutes pertaining to marriage with gender neutral language. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Effects of measure
- Supreme Court case legalizing same sex marriage
- Prior legislative efforts to standardize and update language

EFFECT OF COMMITTEE AMENDMENT:

No amendment.

BACKGROUND:

The United States Supreme Court has found that marriage equality is a fundamental right guaranteed to all couples based on the Fourteenth Amendment to the United States Constitution. As a result, in Oregon, and nationwide, couples of the same sex are entitled to marry to the same extent couples of the opposite sex are.

House Bill 4127 establishes that it is the state policy that any privilege, immunity, right, benefit, or responsibility governed by law given to a person because of marriage to a person of the opposite sex applies with equal force to a person who is or was married to a person of the same sex. It also changes statutes to contain gender neutral language in relation to marriage in order to harmonize Oregon statutes with current law.