

STAFF MEASURE SUMMARY

Senate Committee On Judiciary

**Fiscal:** No fiscal impact  
**Revenue:** No Revenue Impact

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**Action Date:** 02/19/16  
**Action:** Do Pass.  
**Meeting Dates:** 02/17, 02/19

**Vote:**  
Yeas: 3 - Gelser, Prozanski, Rosenbaum  
Nays: 1 - Thatcher  
Exc: 1 - Kruse

**Prepared By:** Whitney Perez, Counsel

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**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:**

- National effort to update statutes as result of Supreme Court decision
- No effect on presumption of marriage in evidence code
- Effects of measure

**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.