

HB 3041 -1 STAFF MEASURE SUMMARY

House Committee On Judiciary

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Meeting Dates: 2/10, 2/24

WHAT THE MEASURE DOES:

Separates "gender identity" from the definition of "sexual orientation" within the definitions chapter of the Oregon Revised Statutes. Defines "gender identity." Adds "gender identity" to all statutes that reference "sexual orientation." Repeals ORS 659.870, which prohibits political subdivisions from enacting or enforcing certain laws relating to sexual orientation. Declares an emergency, effective upon passage.

ISSUES DISCUSSED:

- Oregon Equality Act of 2007 (SB 2)
- Intended to clarify existing protections
- Sexual orientation, gender identity and gender expression
- Defunct Language

EFFECT OF AMENDMENT:

-1 Removes language referencing that sexual orientation is not a physical or mental impairment.

BACKGROUND:

SB 2 followed the establishment of the Governor's Taskforce on Equality in Oregon by Executive Order No. 06-03, February 2006. The Governor charged the Taskforce with studying whether changes to Oregon law were necessary to guarantee that Oregonians are protected from discrimination in employment, housing, public accommodations and other opportunities, regardless of sexual orientation or gender identity. The Taskforce report, issued December 15, 2006, includes Recommendation 1: "It should be the public policy of the State of Oregon to prohibit discrimination based on sexual orientation." In 2007, the State of Oregon enacted the Oregon Equality Act (also known as SB 2), a law to protect lesbian, gay, bisexual and transgender (LGBT) people from discrimination.

House Bill 3041 adds "gender identity" to all statutes that reference "sexual orientation."