

HB 3041 A -A2 STAFF MEASURE SUMMARY

Senate Committee On Judiciary and Ballot Measure 110 Implementation

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Meeting Dates: 4/29, 5/24, 5/25

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." Removes language referencing that sexual orientation is not a physical or mental impairment. Repeals ORS 659.870, which prohibits political subdivisions from enacting or enforcing certain laws relating to sexual orientation. Declares emergency, effective upon passage.

House Judiciary Committee Vote (Aye, Nay, Excused, Absent) 10-0-0-0

Third reading. Carried by Power. Passed. Ayes, 52; Absent, 2--Post, Reschke; Excused, 4--Breese-Iverson, Drazan, Levy, Wallan; Excused for Business of the House, 2--Prusak, Stark

REVENUE: No revenue impact

FISCAL: Has minimal fiscal impact

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-A2 Resolves conflicts with HB 2534 Enrolled and expands certain protections to include gender identity. HB 2534 prohibits planned communities or condominiums from including discriminatory language in governing documents that would restrict the residential use of the community based on protected classes (including sexual orientation) or the number of individuals who live together in a dwelling unit within occupancy limits. Amendment A2 expands the above protections to include gender identity and prevents the conveyance of a real property title that restricts the use of real property by any persons by reason of gender identity, while maintaining protections for previously included classes.

Resolves conflict with HB 2986. Requires Board of Public Safety Standards and Training ensure all police officers and certified reserve officers receive training related to investigating, identifying, and reporting crimes motivated by the perceived gender or gender identity of a victim.

BACKGROUND:

In February 2006 the Governor's Taskforce on Equality in Oregon was established by Executive Order No. 06-03. 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 A adds "gender identity" to all statutes that reference "sexual orientation."