

HB 3041 A STAFF MEASURE SUMMARY

Carrier: Rep. Power

House Committee On Judiciary

Action Date: 04/01/21

Action: Do pass with amendments. (Printed A-Eng.)

Vote: 10-0-0-0

Yeas: 10 - Bynum, Dexter, Helm, Kropf, Lewis, Morgan, Noble, Power, Wallan, Wilde

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

Prepared By: Amie Fender-Sosa, Counsel

Meeting Dates: 2/10, 3/1, 3/23, 4/1

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.

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:

Removes language from statute referencing that sexual orientation is not a physical or mental impairment.

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."