

**FISCAL IMPACT OF PROPOSED LEGISLATION****Measure: SJR 33**

82nd Oregon Legislative Assembly – 2023 Regular Session

Legislative Fiscal Office

*Only Impacts on Original or Engrossed Versions are Considered Official*

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Date: April 25, 2023

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**Measure Description:**

Proposes amendment to Oregon Constitution to enumerate examples of rights, the denial or abridgement of which would violate existing constitutional guarantee of equality of rights.

**Government Unit(s) Affected:**

Secretary of State

**Summary of Fiscal Impact:**

Costs related to the measure are indeterminate at this time - See explanatory analysis.

**Analysis:**

SJR 33 proposes an amendment to the Oregon Constitution, repealing section 5a, Article XV, regarding marriage; and stating that equality of rights under the law is not to be denied by the state of Oregon or any political subdivision on account of sex, including but not limited to denial or abridgement of equal rights by any law, policy, or action, that discriminates based on pregnancy, pregnancy outcomes, or related health decisions; gender identity or related health decisions; sexual orientation; or gender. The amendment is to be submitted to the people for approval or rejection at a special election held on the same date as the next regular general election.

Because the measure is referred to voters on the same day as the next regular general election, the fiscal impact to the Secretary of State's office is the state's portion of incremental costs incurred for an already-funded election. The Secretary of State prepares and distributes the voters' pamphlet and collects a filing fee for each argument submitted in support or opposition of a ballot measure. Typically, these filing fees cover slightly more than one-half of the cost of producing and mailing the voters' pamphlet. The remaining costs are paid by the General Fund. At this time, the fiscal impact to the Secretary of State's office is indeterminate because the cost of producing and distributing the voters' pamphlet is determined by the total number of initiatives and legislative referrals on the ballot, and by the number of arguments submitted in support or opposition of these ballot measures, and this information will not be known until after election filing deadlines. The Legislative Fiscal Office assumes that the Secretary will seek General Fund support from the Emergency Board or Legislative Assembly if the actual voters' pamphlet costs exceed currently budgeted election expenditures.

Under procedures established in ORS 250.125 and 250.127, a financial impact committee is created for each state measure submitted to the ballot through the initiative and referendum processes. For this reason, LFO does not include an estimate of the fiscal impact that would result if SJR 33 were to be adopted by a vote of the people.