

**HB 3041 B STAFF MEASURE SUMMARY****Carrier:** Sen. Lieber**Senate Committee On Judiciary and Ballot Measure 110  
Implementation****Action Date:** 05/25/21**Action:** Do pass with amendments to the A-Eng bill, including amendments to resolve conflicts.  
(Printed B-Eng.)**Vote:** 4-3-0-0**Yeas:** 4 - Dembrow, Gelser, Manning Jr, Prozanski**Nays:** 3 - Heard, Linthicum, Thatcher**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Prepared By:** Amie Fender-Sosa, Counsel**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 statute prohibiting political subdivisions from enacting or enforcing certain laws relating to sexual orientation. Resolves conflicts with House Bill 2986 and House Bill 2534 (2021, Enrolled) and expands certain protections to include gender identity. Declares emergency, effective upon passage.

**ISSUES DISCUSSED:**

- Court rulings make language prohibiting political subdivisions from enacting or enforcing laws relating to sexual orientation unnecessary
- Goal to provide a more expansive definition of gender identity
- Inclusion of "two spirits"
- Fighting transphobia
- BOLI rules
- Conflict amendments

**EFFECT OF AMENDMENT:**

Resolves conflicts with House Bill 2534 (2021, Enrolled) and expands certain protections to include gender identity. Resolves conflict with House Bill 2986.

**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 B adds "gender identity" to all statutes that reference "sexual orientation," resolves conflicts with House Bill 2534, expands certain protections to include gender identity relating to real property, and resolves conflicts with House Bill 2986.