

## **SJR 33 -1 STAFF MEASURE SUMMARY**

### **Senate Committee On Rules**

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**Prepared By:** Leslie Porter, LPRO Analyst

**Meeting Dates:** 4/25, 4/27

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#### **WHAT THE MEASURE DOES:**

Proposes amendment to Oregon Constitution to provide examples of rights that denial or abridgement of which would violate existing constitutional guarantee of equality of rights, including pregnancy, pregnancy outcomes, or related health decisions; gender identity or related health decisions; sexual orientation; or gender. Makes conforming change by repealing Section 5a, Article XV, which is the constitutional policy of marriage as being between one man and one woman. Refers proposed constitutional amendment to the people for their approval or rejection at special election held on same date as next regular general election.

#### **ISSUES DISCUSSED:**

##### **EFFECT OF AMENDMENT:**

-1 Replaces the measure. Repeals Section 5a, Article XV of the Oregon Constitution, which is the constitutional policy of marriage as being between one man and one woman. Refers proposed constitutional amendment to the people for their approval or rejection at next statewide regular general election.

##### **BACKGROUND:**

Section 5a, Article XV of the [Oregon Constitution](#) establishes the constitutional policy that only a marriage between one man and one woman will be valid or legally recognized in Oregon and its political subdivisions. Section 5a, Article XV was added to the Constitution as a result of an initiative petition that was placed on the ballot and approved by the people on November 2, 2004.

Section 46, Article 1, of the [Oregon Constitution](#) prohibits the denial or abridgement of rights on account of sex. It grants the Legislative Assembly the power to enforce this provision, through legislation. It also guarantees that other Constitutional rights are not diminished by this prohibition. Section 46, Article 1, was added to the Constitution as a result of an initiative petition that was placed on the ballot and approved by the people on November 4, 2014.

Senate Joint Resolution 33 proposes an amendment to Oregon Constitution to provide examples of rights of which denial or abridgement would violate existing constitutional guarantee of equality of rights and repeals the constitutional policy of legally recognizing only marriages that are between one man and one woman.