

**SJR 33 A STAFF MEASURE SUMMARY**

**Carrier:** Sen. Knopp

**Senate Committee On Rules**

**Minority Report**

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**Action Date:** 04/27/23

**Action:** Be adopted with amendments. (Printed A-Eng.) Minority

**Fiscal:** Fiscal impact issued

**Revenue:** No revenue impact

**Report Signers:** Sen. Bill Hansell, Sen. Tim Knopp

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

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

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**WHAT THE MEASURE DOES:**

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.

**ISSUES DISCUSSED:**

- The protection of equal rights, human rights, and the passage of the Equal Rights Amendment in 2014
- The repeal of policy in the Oregon Constitution of marriage being between one man and one woman
- The effects of laws without discriminatory intent, specifically related to reproductive and gender-related health care
- The government's role in health care decisions
- Abortion and adoption restrictions
- Impacts of discrimination based on sexual and/or gender identity
- Whether schools could restrict women's sports to biological females, or separate bathrooms based on sex, should Senate Joint Resolution 33 be adopted
- The role of constitutional law in determining what rights may be upheld, if SJR 33 is adopted and subsequently challenged in the courts
- Whether parental rights are impacted

**EFFECT OF AMENDMENT:**

Replaces the measure.

**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.

Senate Joint Resolution 33 MRA repeals the constitutional policy of legally recognizing only marriages that are between one man and one woman.