

SENATE AMENDMENTS TO SENATE BILL 27

By COMMITTEE ON RULES

May 2

1 In line 2 of the printed bill, after “elections” insert “; and declaring an emergency”.

2 Delete lines 4 through 12 and insert:

3 **“SECTION 1. (1) Pursuant to ORS 250.075 and notwithstanding ORS 250.035, if Senate**
4 **Joint Resolution 33 (2023) is referred to the people by the Eighty-second Legislative Assembly**
5 **in regular session, the ballot title for Senate Joint Resolution 33 (2023) shall be:**

6 “

7 _____
8 **AMENDS CONSTITUTION: “EQUALITY OF RIGHTS ON ACCOUNT OF SEX” PROTECTS**
9 **PREGNANCY AND GENDER IDENTITY AND RELATED HEALTH DECISIONS, SEXUAL**
10 **ORIENTATION; REPEALS SAME-GENDER MARRIAGE BAN.**

11
12 **RESULT OF “YES” VOTE: “YES” vote amends constitutional provision prohibiting govern-**
13 **ment actions discriminating “on account of sex” to include pregnancy and gender identity**
14 **and related health decisions and sexual orientation; repeals same-gender marriage ban.**

15
16 **RESULT OF “NO” VOTE: “NO” vote retains current constitutional provision prohibiting**
17 **government actions impairing equal rights “on account of sex” without expressly including**
18 **pregnancy and gender identity and related health decisions and sexual orientation.**

19
20 **SUMMARY: In 2014, voters adopted Article I, section 46, of the Oregon Constitution, which**
21 **provides: “Equality of rights under the law shall not be denied or abridged by the State of**
22 **Oregon or by any political subdivision in this state on account of sex.” This measure identi-**
23 **fies protected rights “on account of sex” to include:**

- 24
25 **• Pregnancy and pregnancy outcomes and related health decisions;**
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27 **• Gender identity and related health decisions;**
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29 **• Sexual orientation; and**
30
31 **• Gender.**

32
33 **The measure repeals the current constitutional provision prohibiting same-gender mar-**
34 **riage. Additional major effects of this measure include prohibiting state or local government**
35 **actions:**

1 • Denying or abridging access to abortion, contraception, gender-affirming health care
2 and same-gender marriage; and

3
4 • That discriminate, in intent or effect, based on pregnancy, gender identity and related
5 health decisions, miscarriage and other pregnancy outcomes, sexual orientation and gender.

6 “ _____

7
8 “(2) The word limits described in ORS 250.035 (2) do not apply to the ballot title contained
9 in this section.

10 “SECTION 2. A special election shall be held throughout this state on the same date as
11 the next general election. The measure that is referred to in section 1 of this 2023 Act and
12 that is otherwise referred to the people by the Legislative Assembly shall be submitted to
13 the electors for their approval or rejection at the special election described in this section.

14 “SECTION 3. This 2023 Act being necessary for the immediate preservation of the public
15 peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect
16 on its passage.”

17 _____