

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

H

1

HOUSE BILL 780

Short Title: Uphold Historical Marriage Act. (Public)

Sponsors: Representatives Pittman, Speciale, and Ford (Primary Sponsors).

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Rules, Calendar, and Operations of the House

April 13, 2017

A BILL TO BE ENTITLED

AN ACT TO AFFIRM THAT SECTION 6 OF ARTICLE XIV OF THE NORTH CAROLINA
CONSTITUTION IS THE LAW OF THE STATE.

Whereas, the 10th Amendment of the United States Constitution states that "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people"; and

Whereas, the enumerated powers of the federal government, as outlined in the United States Constitution, do not include the authority or power to establish laws concerning marriage; and

Whereas, it is, therefore, clear that laws concerning marriage are for each state to establish and maintain severally and independently; and

Whereas, the People of the State of North Carolina approved the Marriage Amendment of 2012, which is now included as Section 6 of Article XIV of the North Carolina Constitution, with a 61% affirmative vote; and

Whereas, the United States Supreme Court overstepped its constitutional bounds when it struck down Section 6 of Article XIV of the North Carolina Constitution in its *Obergefell v. Hodges* decision of 2015; and

Whereas, the ruling of the United States Supreme Court not only exceeds the authority of the Court relative to the State of North Carolina and a vote of the People of the State on an issue pertaining solely to the State of North Carolina and the People of North Carolina but also exceeds the authority of the Court relative to the decree of Almighty God that "a man shall leave his father and his mother and hold fast to his wife, and they shall become one flesh" (Genesis 2:24, ESV) and abrogates the clear meaning and understanding of marriage in all societies throughout prior history; Now, therefore, The General Assembly of North Carolina enacts:

SECTION 1. G.S. 51-1.2 reads as rewritten:

"§ 51-1.2. **Marriages between persons of the same gender not valid.**

(a) The General Assembly of the State of North Carolina declares that the *Obergefell v. Hodges* decision of the United States Supreme Court of 2015 is null and void in the State of North Carolina, and that the State of North Carolina shall henceforth uphold and enforce Section 6 of Article XIV of the North Carolina Constitution, the opinion and objection of the United States Supreme Court notwithstanding.

(b) Marriages, whether created by common law, contracted, or performed outside of North Carolina, between individuals of the same gender are not valid in North Carolina."

SECTION 2. This act is effective when it becomes law.



* H 7 8 0 - V - 1 *