

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

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SENATE BILL 1057

Short Title: Defense of Marriage. (Public)

Sponsors: Senators Forrester; Allran, Berger, Blake, Brock, Carpenter, Foxx, Garwood, Hoyle, Moore, Pittenger, Sloan, Smith, Tillman, and White.

Referred to: Judiciary I.

May 13, 2004

A BILL TO BE ENTITLED

AN ACT TO AMEND THE CONSTITUTION TO PROVIDE THAT MARRIAGE IS THE UNION OF ONE MAN AND ONE WOMAN AT ONE TIME, AND THIS IS THE ONLY MARRIAGE THAT IS RECOGNIZED AS VALID IN THIS STATE.

The General Assembly of North Carolina enacts:

SECTION 1. Article 14 of the North Carolina Constitution is amended by adding the following new section:

"Sec. 6. Marriage. Marriage is the union of one man and one woman at one time. This is the only marriage that shall be recognized as valid in this State. The uniting of two persons of the same sex or the uniting of more than two persons of any sex in a marriage, civil union, domestic partnership, or other similar relationship within or outside of this State shall not be valid or recognized in this State. This constitution shall not be construed to require that marital status or the rights, privileges, benefits or other legal incidents of marriage be conferred upon unmarried individuals or groups."

SECTION 2. The amendment set out in Section 1 of this act shall be submitted to the qualified voters of the State at the statewide general election in November of 2004, which election shall be conducted under the laws then governing elections in the State. Ballots, voting systems, or both may be used in accordance with Chapter 163 of the General Statutes. The question to be used in the voting systems and ballots shall be:

"[] FOR [] AGAINST

Constitutional amendment to provide that marriage is the union of one man and one woman at one time, and this is the only marriage that shall be recognized as valid in this State."

SECTION 3. If a majority of votes cast on the question are in favor of the amendment set out in Section 1 of this act, the State Board of Elections shall certify the amendment to the Secretary of State. The Secretary of State shall enroll the amendment

- 1 so certified among the permanent records of that office. The amendment set out in
- 2 Section 1 of this act shall become effective January 1, 2005.